

THOMAS J. SCRIMENTI
STATE REPRESENTATIVE

□ 9 WEST MAIN STREET
NORTH EAST, PENNSYLVANIA 16428
PHONE: (814) 725-8664

□ 202 NORTH CENTER STREET
CORRY, PENNSYLVANIA 16407
PHONE: (814) 664-9126

□ 25B, EAST WING
HOUSE BOX 202020
HARRISBURG, PENNSYLVANIA 17120-2020
PHONE: (717) 787-9475



House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

AGING AND YOUTH
DEMOCRATIC CHAIRMAN OF THE
SUBCOMMITTEE ON AGING
PROFESSIONAL LICENSURE
AGRICULTURE AND RURAL AFFAIRS

April 18, 1997

Ms. Pamela S. Szczesny

████████████████████
North East, PA 16428

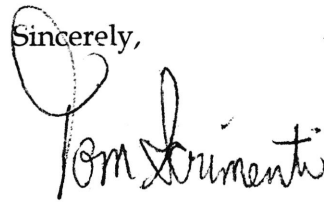
Dear Ms. Szczesny:

Thank you for your recent letter concerning the lowering of required standards for school nurses. I very much appreciate your professional insight on this important matter. I also commend you on your timeliness; it is paramount that potentially controversial legislation, such as this, be addressed from its inception.

I can certainly understand your perspective on the job parameters of school nurses. The role of today's school nurses is critical to the health and well-being of our students. It is my hope that no legislator would introduce a bill which would undermine the integrity of our school nurses.

Please know that should this legislation come before the House I will most certainly keep your thoughts in mind. Your professional insight on this matter will assist me in the ever-important decision making process.

Again, thank you for sharing your views with me. If there is anything else I may do for you with this or any other matter, please contact my office.

Sincerely,

Thomas J. Scrimenti
State Representative

COPY

MAR 19 1997

Pamela S. Szczesny

████████████████████
North East, Pa. 16428
████████████████████

To: Thomas J. Scrimenti
State Representative

Date: March 16, 1997

From: Pamela S. Szczesny, R.N., B.S.N., M.S.
Certified School Nurse

Re: Legislation Changing the Definition of a School Nurse

It has been brought to my attention that Senator Daniel Scott Delp is considering the sponsorship of legislation which would lower the standards required in the School Code for school nurses.

Perhaps he does not realize that a Certified School Nurse functions on her own in an educational setting rather than a clinical setting. Her practice involves the care of and advocacy for the health care needs of public, private and parochial students throughout the Commonwealth. She is a fully qualified member of the education team which attempts to provide an education in the least restrictive setting for all children. Most people seem to think that a school nurse spends her day putting on bandaids and handing out pills - and though that may be a time consuming part of her practice, it is only the beginning. She provides health education and health counseling to all students, their teachers and their families. A Certified School Nurse must be a well educated and experienced practitioner in order to best meet the complex health care needs of today's students.

I cannot imagine that State Senators would become involved in lowering the standards for the coronary care nurse who will care for them when they have their heart attacks; or for the intensive care nurse who will care for their family members who are injured or who have major surgery; or for the psychiatric nurse who will tend to those with mental break downs; or for the community health nurse who will care for those who are discharged from the hospital too soon to care for themselves at home; or for the nurse educator who will prepare future nurses for practice. **All nurse specialists are required to have an advanced educational background in order to qualify for their specialty, School Nurses are no different.**

It is my respectful request that as my own, Representative you will stand for excellence in school health care and support the well prepared Certified School Nurses who serve the children of Pennsylvania.

Sincerely,

Pamela S. Szczesny

Pamela S. Szczesny

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AGRICULTURE AND RURAL AFFAIRS

December 8, 1998

Lisa Zarger
Wattsburg Area School District
Seneca High School
10770 Wattsburg Rd.
Erie, PA 16509-6499

Dear Ms. Zarger:

I would like to thank you for your correspondence with my office regarding your concerns with revisions being made to alter Chapter XIV of the School Code (Health Services in Schools). As a State Representative, I certainly value your professional opinion and I appreciate being apprised of those issues that concern you.

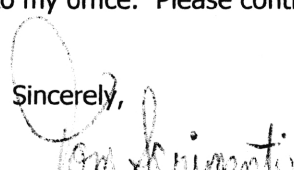
Upon receiving your letter, I contacted Ms. Jessie Rohner, DrPH, RN, Executive Administrator of the Pennsylvania State Nurses Association (PSNA), regarding your concerns. As you most likely already know, the PSNA and the State Board of Nursing share in your concerns over this matter. Ms. Rohner has conveyed that indeed there is a proposal in the works that would amend the Public School Code of 1949 to remove several provisions of the current health program.

Ms. Rohner has also expressed that thus far this proposal has been part of a slow moving process and she is not certain what definite changes are forecasted in the near future. However, the PSNA is working with the State Board of Nursing on fighting this proposal and they are continuing to conduct meetings on this issue. Ms. Rohner recently forwarded the PSNA position statement on school nursing to my office. I have attached a copy of this statement for your perusal. Ms. Rohner has also conveyed that the PSNA will know more about the procession of this proposal closer to the end of this month and will be issuing a more in-depth letter addressing the PSNA's opposition with supporting rationale.

Please know that I understand your concerns with the new provisions and I will certainly keep your thoughts and concerns in mind if and when this proposal comes to fruition and is before the House for a vote.

I would like to thank you once again for your letter to my office. Please continue to communicate your views with me in the future.

Sincerely,


Thomas J. Scrimenti
State Representative

Mailed 12-9 N.E.

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STATE REPRESENTATIVE

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202 NORTH CENTER STREET
CORRY, PENNSYLVANIA 16407
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HOUSE BOX 202020
HARRISBURG, PENNSYLVANIA 17120-2020
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PROFESSIONAL LICENSURE
AGRICULTURE AND RURAL AFFAIRS

December 14, 1998

Ms. Marcy L. Hall

██████████
North East, PA 16428

Dear Ms. Hall:

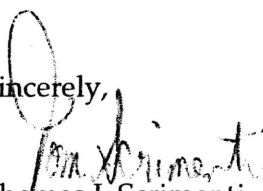
Thank you for your recent letter in which you inquired about proposed changes to the School Health Code of 1949. You have raised a number of valid and warranted points about the role of school nurses and health programs in our public schools.

Article 14 is part of Pennsylvania's School Code, which contains all of the laws relating to public schools. The ratio of one nurse to every 1,500 students is contained in Article 14; in other words, it is mandated by law and not by regulation. House Bill 153, introduced in 1997, would, among other provisions, change this ratio to one nurse to every 750 students. Since this bill stalled in the House Education Committee and the current session is over, the bill is now defunct.

According to a staff member of the House Education Committee, there are no proposed regulations or pending legislation that would privatize school health programs or cause them to be diluted. House Bill 1010, which covered a number of school provisions, might have had that effect; however, it was not reported from the House Education Committee. In fact, that bill has been replaced by another bill that has no bearing on the delivery of school health services.

Thank you again for calling this matter to my attention. I do not at this time believe that any drastic changes are in store for school nurses or school health programs. If I ever have the opportunity to vote on House Bill 153 or a similar bill, I shall certainly keep your comments in mind about the nurse-to-student ratio.

Sincerely,


Thomas J. Scrimenti
State Representative

Mailed 12-16 N.E.

COMMITTEES

PROFESSIONAL LICENSURE
AGING AND YOUTH
INSURANCE
FEDERAL-STATE RELATIONS



House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

May 2, 1995

Pat Calabrese

[REDACTED]
Erie, Pa 16507

Dear Pat:

I would like to thank you for your recent letter expressing your support of fair share fees and opposition to tuition vouchers. I certainly understand and share your concerns about these critical issues and hope that you will continue to contact me with your ideas and opinions.

I believe that fair share is not a labor-management issue, but is rather an issue of fairness. The repeal of fair share would allow people who chose not to pay for the cost of negotiations to receive the benefits of a collectively bargained contract. I believe that elimination of fair share could fatally damage the collective bargaining process. Public employees have made great strides in the last 20 years and that can be attributed to the collective bargaining process. I strongly believe that the right to collective bargaining is a fundamental American freedom. I will oppose all measures that seek to damage this process. I will vote against Senate Bills 9, 291 and 11 and all other attempts to eliminate fair share.

You may also be sure that I will not support tuition vouchers. The last time a tuition voucher came before the House I voted against it. This session I oppose the Governor's proposed tuition voucher proposal on constitutional, philosophical and fiscal grounds. The Pennsylvania Constitution states that "No money raised for the support of the public schools of the Commonwealth shall be appropriated to or used for the support of any sectarian school" (Article III, Section 15). While Pennsylvanians should be proud of the state's long tradition of parochial and private schools, this provision was written so that the taxpayers will never be required to support these institutions. Thus, I do not believe that this voucher proposal is constitutional and will continue to oppose all tuition voucher programs.

Second, I simply do not believe that the state should be involved in funding private and parochial schools. These schools do not have to abide by the same regulations and requirements as public schools. Thus, there is no way to ensure that students are receiving

Page 2


a quality education under this system. In addition, the vouchers are only for \$700, which is far too little money to cover the cost of tuition at most schools. Thus, this program will basically subsidize those who can already afford to attend non-public schools.

Finally, in the current era of fiscal constraints, I do not believe that the funds should be shifted from our public school system. The Governor is not only taking money away from our public schools, but he has also proposed very little new funding for our public universities. This includes funding for repairs and maintenance to buildings and classrooms, which is often cited as the nation's top educational need. The simple fact is that the Commonwealth must attend to its responsibilities to our children and the public school system before spending money on any new experiments.

If any tuition bill comes before the House, I will certainly vote against it. However, if it would pass, it would become part of the budget. At this time, I am presently undecided as to whether or not I would vote against the budget if I am presented with this scenario.

You may be sure that I will vehemently fight any school voucher program which includes private and parochial schools. I will also support the concept of fair share in this and upcoming legislative sessions. Thank you again for your letter. If I can be of any further assistance on this or other issues in the future, please do not hesitate to contact my office.

Sincerely,


Tom Scrimenti
State Representative
4th District

THOMAS J. SCRIMENTI
STATE REPRESENTATIVE

□ 9 WEST MAIN STREET
NORTH EAST, PENNSYLVANIA 16428
PHONE: (814) 725-8664

□ 9 WEST WASHINGTON STREET
CORRY, PENNSYLVANIA 16407
PHONE: (814) 664-9126

□ 25B, EAST WING
HOUSE BOX 202020
HARRISBURG, PENNSYLVANIA 17120-2020
PHONE: (717) 787-9475



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COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

AGING AND YOUTH
DEMOCRATIC CHAIRMAN OF THE
SUBCOMMITTEE ON AGING
PROFESSIONAL LICENSURE
AGRICULTURE AND RURAL AFFAIRS

October 26, 1995

Valarie Kane

████████████████████
North East, PA 16428

Dear Ms. Kane:

I want to thank you for your kind words and sentiments. It is very important for me to hear of your views and ideas, especially about such important and controversial issues as the school voucher system. Your comments and insights will help me if this matter is again brought forward for a vote.

Although the vote on House Bill 38 was stricken, I opposed the bill for a variety of reasons. Initially, I was frustrated that the Governor did not provide any opportunity for public input into his Keystone Initiative for a Difference in Our Schools (KIDS) plan. There are so many ideas for school reform that have been implemented across the state and the country that are cost effective and efficient. Because of the number of children in private and parochial schools that could qualify under the language proposed by Governor Ridge, the tuition voucher plan will cost over 300 million dollars. If this plan would have been enacted, I would have essentially been approving a risky plan, along with a tax increase without any public input or approval.

It was with all that in mind and more that I vote against the proposal. As you can imagine, that vote has been the subject of many phone calls and letters to my office, of which yours was a welcomed and appreciated addition. Again, thank you for writing and please continue our communication.

Sincerely,

Handwritten signature of Tom Scrimenti in cursive.
Tom Scrimenti
State Representative

THOMAS J. SCRIMENTI
STATE REPRESENTATIVE

9 WEST MAIN STREET
NORTH EAST, PENNSYLVANIA 16428
PHONE: (814) 725-8664

202 NORTH CENTER STREET
CORRY, PENNSYLVANIA 16407
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25B, EAST WING
HOUSE BOX 202020
HARRISBURG, PENNSYLVANIA 17120-2020
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DEMOCRATIC CHAIRMAN OF THE
SUBCOMMITTEE ON AGING
PROFESSIONAL LICENSURE
AGRICULTURE AND RURAL AFFAIRS

November 20, 1998

Richard Zahner

North East, PA 16428

Dear Mr. Zahner:

Thank you for your recent letter regarding school vouchers, public education, campaign finance reform, the state surplus, and stadium funding. Your thoughts are welcomed and valued. I hope you will continue to contact me with your insights.

As you may know, I am an opponent to Governor Ridge's voucher plan. Vouchers are a serious threat to effective public education, jeopardizing the schools' traditional mission of "leveling the playing field" for children of all socioeconomic backgrounds. In the past, voucher proposals have presented more problems than solutions.

In my opinion, education is the key to a civilized, prosperous, and healthy society. Educating our children is of paramount importance to me. It is a valuable investment to our future, a cornerstone of our democracy, and by no means should be sacrificed.

I agree, the General Assembly must implement strong campaign finance reform that respects the rights of interested individuals to contribute to the candidates or causes they choose to support. Please be assured that I will support legislation that limits campaign contributions and implements public funding for candidates who agree to voluntary spending limits.

Incidentally, Senate Bill 254 unanimously passed that House and Senate and was later signed into law by the Governor on October 15, 1998 (Act 93 of 1998). Act 93 requires lobbyists to register with the State Ethics Commission and report the identity of any lawmaker or state official on whom he/she has spent \$650 or more in one year for hospitality and entertainment.

Although the funds are derived from tax monies, Governor Ridge and Republican leadership in the Legislature have full discretion in deciding how the state surplus revenue, which is estimated to be approximately \$700 million, is allocated. The Governor and Republican leadership has not yet formally announced how or when these funds will be dispersed.

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As you know, Governor Ridge wants the legislature to raise the state's debt ceiling by \$500 million, which means the state can borrow up to that amount to pay for large building projects. Of that total, \$300 million to \$325 million, or one-third of the cost, would be earmarked for stadiums for the Pittsburgh Steelers and Pirates and the Philadelphia Eagles and Phillies. The cities and team owners would be responsible for the remaining two-thirds of the cost. The other \$175 million to \$200 million of potential debt could be used for other projects around the state.

Although school vouchers and stadium funding have been issues of great debate this session, legislation to establish such provisions have not been formally introduced as a bill or amendment. Therefore, these proposals have not yet been considered by the General Assembly. The current 1997-1998 legislative session concludes on November 30, 1998. Any legislation that is not passed by then will die with the session and can be offered again in the next session. There has been some speculation that vouchers and stadium funding, if considered, may be delayed until the 1999-2000 legislative session.

Please be assured that I will take your thoughts into consideration if, and when, the aforementioned issues are brought before the House for a floor vote. If you have questions or comments, please do not hesitate to contact my office.

Sincerely,



Thomas J. Scrimenti
State Representative

TJS/mtf

THOMAS J. SCRIMENTI
STATE REPRESENTATIVE

□ 9 WEST MAIN STREET
NORTH EAST, PENNSYLVANIA 16428
PHONE: (814) 725-8664

□ 202 NORTH CENTER STREET
CORRY, PENNSYLVANIA 16407
PHONE: (814) 664-9126

□ 25B, EAST WING
HOUSE BOX 202020
HARRISBURG, PENNSYLVANIA 17120-2020
PHONE: (717) 787-9475



House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

AGING AND YOUTH
DEMOCRATIC CHAIRMAN OF THE
SUBCOMMITTEE ON AGING
PROFESSIONAL LICENSURE
AGRICULTURE AND RURAL AFFAIRS

April 14, 1999

Pat Bruno III, President
Central Labor Union & Industrial Union Council
1701 State Street
Erie, PA 16501

Dear Mr. Bruno: -- Pat,

I want to take this opportunity to thank you for writing to me in opposition to the Governor's on-going school voucher proposals. Your concerns for the students attending schools in the Commonwealth are obviously genuine and deserve to be heard.

Recently, Governor Ridge unveiled a proposal that would enact a new Educational Opportunity Grant pilot program. Under this program, families would be provided with a voucher that would cover part of the cost of tuition at another school, whether that school is public, private, or parochial. The Educational Opportunity Grant pilot program would also provide "supervouchers" to distressed school districts, which would be identified, using a predetermined criterion, by the Pennsylvania Department of Education. This package appears to be quite extensive and expensive, but according to the Governor would not take any funding from the Commonwealth's public schools and would be only a very small portion of the budget already allocated to the Department of Education.

As you may know, school voucher legislation has been struck down every time it was presented before the General Assembly. Although I agree with the Governor that we, as legislators, educators and parents must continue to keep the best interests of our children in focus, there may be other alternatives to assure that our children will receive the best educational opportunities available to them. Smaller class sizes, improved technology, and clear academic standards are just a few of the potential solutions that have continually been mentioned. I agree that all children deserve an equal chance, something that can only be provided by the public schools. We need to support the Commonwealth's public school districts to ensure all children will receive a quality education in Pennsylvania.

Again, I want to thank you for your letter of concern. I will surely keep your comments in mind as this legislative issue unfolds in the General Assembly. If I can be of any further assistance to you on this matter, or any other matter in the future, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Scrimenti".

Thomas J. Scrimenti
State Representative

THOMAS J. SCRIMENTI
STATE REPRESENTATIVE

□ 9 WEST MAIN STREET
NORTH EAST, PENNSYLVANIA 16428
PHONE: (814) 664-8664

□ 202 NORTH CENTER STREET
CORRY, PENNSYLVANIA 16407
PHONE: (814) 664-9126

□ 25B, EAST WING
HOUSE BOX 202020
HARRISBURG, PENNSYLVANIA 17120-2020
PHONE: (717) 787-9475



House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

SB 1415
Tuition Vouchers
COMMITTEES

AGING AND YOUTH
DEMOCRATIC CHAIRMAN OF THE
SUBCOMMITTEE ON AGING
PROFESSIONAL LICENSURE
AGRICULTURE AND RURAL AFFAIRS

August 17, 2000

Ms. Rita Lockhart

Union City, PA 16438

Dear Ms. Lockhart:

Thank you for your recent e-mails. I appreciate you communicating with me your concerns regarding Senate Bill 1415 and tuition vouchers.

Senate Bill 1415 would increase the monthly stipend Pennsylvania State Employee Retirement System (PSERS) beneficiaries receives from \$55/month to \$150/month. As your state representative, I will get an opportunity to act on this bill only if it passes the Senate and is sent to the House for consideration. Rest assured, if this occurs, I will give Senate Bill 1415 my utmost consideration when casting my vote.

I understand your concerns with school vouchers and, in fact, share them. School vouchers are not constitutional and do not provide equal access to students of differing social-economic classes. I believe that instead of spending millions of dollars on an inherently discriminatory voucher system, we should use this money to bolster public education for all of our students.

Again, thank you for your e-mails. If I can be of any further help to you in the future, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in cursive script that reads "Tom Scrimenti".

Thomas J. Scrimenti
State Representative

/dje

THOMAS J. SCRIMENTI
STATE REPRESENTATIVE

9 WEST MAIN STREET
NORTH EAST, PENNSYLVANIA 16428
PHONE: (814) 725-8664

202 NORTH CENTER STREET
CORRY, PENNSYLVANIA 16407
PHONE: (814) 664-9126

25B, EAST WING
HOUSE BOX 202020
HARRISBURG, PENNSYLVANIA 17120-2020
PHONE: (717) 787-9475



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AGING AND OLDER ADULT SERVICES
DEMOCRATIC CHAIRMAN OF THE
SUBCOMMITTEE ON CARE AND SERVICES
PROFESSIONAL LICENSURE
AGRICULTURE AND RURAL AFFAIRS

Mailed from
NE office
4-27-01

April 24, 2001

Ms. Paula Bessetti

Wattsburg, PA 16442

Dear Ms. Bessetti:

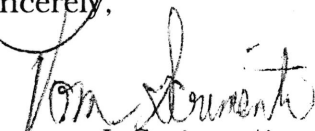
Thank you very much for your letter regarding your views on vouchers and pilot programs. I believe as you do that we must find solutions to our public school system as well as informing the public about the many great things that our educators do day in and day out.

As you stated so well in your correspondence to me, vouchers divert attention from the needs of schools. This is true, but more importantly, vouchers would divert much needed funding from our public schools. We need more funding for our schools so that we can attract good teachers, upgrade our infrastructure, and provide the tools that our children need to succeed in the new economy.

Legislators must be very careful when considering whether or not to establish more charter schools and other pilot programs. Pilot programs and voucher systems have produced very mixed results academically. I also believe that it is wrong to send tax dollars to voucher and pilot programs that do not have to go through the same accountability standards that our public schools must endure.

Again, I want to thank you for contacting me and for keeping me apprised of your concerns. If you have any further comments or concerns, please do not hesitate to contact my office.

Sincerely,


Thomas J. Scrimenti
State Representative

THOMAS J. SCRIMENTI
STATE REPRESENTATIVE

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COMMITTEES

- AGING AND OLDER ADULT SERVICES
- PROFESSIONAL LICENSURE
- AGRICULTURE AND RURAL AFFAIRS
- DEMOCRATIC VICE CHAIRMAN

November 13, 2003

Thomas Blose

[REDACTED]

Erie, PA 16510

Dear Mr. Blose:

Thank you for your letter regarding Governor Rendell's proposals for early childhood education, tuition vouchers, and school tax referenda. I appreciate the time and effort you have taken to apprise me of your positions on these issues. At the outset, please know that I concur wholeheartedly with your remarks concerning early education and, in particular, preschool education. Children need a solid foundation on which to build a towering structure of learning, and this foundation is started in preschool. I believe we need to provide preschool education to every child in Pennsylvania. In doing so, we can ensure a successful and rewarding future for our children and our Commonwealth.

For your information, I cast an affirmative vote on House Bill 113. As you may know, HB 113 provides funding for full-day kindergarten, tutoring in the poorest districts, and reduced class sizes through third grade. HB 113 was part of a package of bills that the House passed on October 21 which allocates more than \$4.2 billion in public education subsidies and \$450 million in federal budget aid, raises \$1.1 billion via new fees and tariffs, and lays the groundwork to reduce property taxes. The revenue is intended to close a budget deficit, fund new education programs, and restore cuts made in the budget bill that the governor signed in March. We are now awaiting additional action on these measures through the likely appointment of a legislative conference committee comprised of members from both the House and Senate.

I strongly believe in our public school system and the state constitutional requirement to "provide for the maintenance and support of a thorough and efficient system of public education to serve the needs of the Commonwealth." Indeed, our state government clearly has a moral duty to assure that all children, wealthy and poor alike, have the same opportunity to a quality education. Furthermore, I respect the constitutional provision that states: "No money raised for the support of the public schools of the Commonwealth shall be appropriated to or used for the support of any sectarian school."

Thomas Blose
November 13, 2003
Page 2

Lastly, although I have not staked out a position on the issue of school tax referenda, your opposition has been duly noted. Please be assured, too, that I will keep your concerns close in mind throughout the remaining budget deliberations. I strongly believe that our democracy works best when citizens have an opportunity to voice their views. Again, thank you for voicing yours. Please do not hesitate to contact me if I may be of further assistance with this or any other matter of import.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Scrimenti". The signature is written in a cursive style with a large initial "T" and a distinct dot above the "i".

Tom Scrimenti
State Representative

Scrimenti, Tom

From: Thomas Blose [REDACTED]
Sent: Monday, October 06, 2003 6:48 AM
To: Scrimenti, Tom
Subject: Oppose early childhood voucher program, referenda on school taxes

Thomas Blose
[REDACTED]
Erie, PA 16510

October 6, 2003

The Honorable Thomas J. Scrimenti
House Box 202020
Harrisburg, PA 17120-2020

Dear Representative Scrimenti:

As a constituent, I'm writing to ask you to vote NO on any legislation that provides for vouchers for early childhood programs and/or referendum on school district taxes.

Governor Rendell in a June 11, 2003 news conference said: "Some folks in the Legislature want to give out a voucher program where the state will pay for child care for children who are pre-kindergarten age. What's wrong with that is, there are no standards, there are no guarantees that those children will get quality educational programs. They will get child care yes, but no standards to make sure that their minds are stretched, that their minds grow, that they begin the process of learning, and sensitizing themselves to the learning process. We want to make sure that PA children have that experience right from the beginning."

I wholeheartedly agree with the governor's comments. Pennsylvania needs not only more early childhood education programs - we need quality childhood education programs. A voucher program will enable low-quality programs - even individuals who provide babysitting in their homes and have no background in education - to obtain state funding with no safeguards or standards. A voucher program would do nothing to ensure that low-income parents would have access to high-quality programs, or would be able to choose high-quality programs for their children.

The federal NCLB/ESEA law calls for students to meet rigorous academic standards with testing as early as third grade. It is imperative to provide funding not just for quantity in early childhood programs, but quality.

PSEA believes the state Education Department should be required to develop specific standards and eligibility criteria for districts and preschool providers. These criteria should also include teacher certification standards.

Pennsylvania remains just one of nine states that do not fund pre-kindergarten. Nor do we set any overall quality standards for these efforts. Without quality early childhood programs which meet standards for safety and educational value, students will continue to enter public schools unprepared to learn. Pennsylvania businesses will be at a disadvantage to competitors in New York, New Jersey, North Carolina and Illinois - states that have made quality early childhood education a priority.

Attaching referenda to school budgets simply add another problem to a bad

unding system.

School tax referenda will actually cost Pennsylvania taxpayers money that could be spent to improve education. Districts will be required to spend money on referenda campaigns rather than on educating children. District personnel will be required to spend time and effort on referenda campaigns rather than on educating children.

School tax referenda are particularly harmful to students and taxpayers in the absence of adequate, equitable, and stable funding from the state. The General Assembly's own Select Committee last summer stated that referenda on school district taxes should not be considered until schools are equitably and appropriately funded. Without reform of the entire funding system, referenda will lock in the inequities in the current system for years to come. Referenda are particularly unfair if districts are not released from them if the state fails to meet all of its financial obligations to schools in full.

School tax referenda will cripple many of our districts just as they are being held accountable for meeting tough new state and federal requirements, with consequences that could threaten their very existence.

School tax referenda make it possible for small groups of voters in elections with low turnout to exert greater influence. Their votes on a budget referendum can adversely affect the quality of education.

School tax referenda disrupt the ability of elected officials to make and implement long-term plans to modernize schools, improve teacher training and increase student achievement.

School referenda will cause greater disparity in school programs, funding, and taxation. Tax rates and school services will differ even more across districts than they do now.

Sincerely,

Thomas Blöse

THOMAS J. SCRIMENTI
STATE REPRESENTATIVE

□ 9 WEST MAIN STREET
NORTH EAST, PENNSYLVANIA 16428
PHONE: (814) 725-8664

□ 202 NORTH CENTER STREET
CORRY, PENNSYLVANIA 16407
PHONE: (814) 664-9126

□ 25B, EAST WING
HOUSE BOX 202020
HARRISBURG, PENNSYLVANIA 17120-2020
PHONE: (717) 787-9475



House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

AGING AND YOUTH
DEMOCRATIC CHAIRMAN OF THE
SUBCOMMITTEE ON AGING
PROFESSIONAL LICENSURE
AGRICULTURE AND RURAL AFFAIRS

December 28, 1995

Philip B. Friedman, Esquire
Ambrose, Friedman and Weichler
[REDACTED]
Erie, PA 16502-1495

Dear Mr. Friedman:

I received and closely read your letter. I appreciate very much the time you took to so fully inform me of your opinions and reasoning. Your comments were welcomed and valued. I hope you will continue to contact me with your insights.

Senate Bill 806 is presently in the House of Representatives' Judiciary Committee for a second time. Without a doubt, Senate Bill 806 will be discussed at great length in committee and, if it advances, on the floor of the House. Throughout that debate, I want to assure you that your comments and warnings will be remembered and respected. I share your desire to protect the state from any infringements upon its constitution or its high court's decision. However, some believe that given the conflicts that are inherent in our nation's system of federalism, attention and adjustments are periodically needed. Through that study, it is argued, our state is strengthened, not weakened. That will remain to be seen and will have to be proven if Senate Bill 806 is brought forward for passage.

Throughout that process, Mr. Friedman, please feel free to continue our dialogue on that historic measure. I need to hear from you on issues of such importance and controversy. Again, thank you for this welcomed opportunity.

Sincerely,

Tom Scrimenti
State Representative

OCT 26 1995

AMBROSE, FRIEDMAN AND WEICHLER

319 West Eighth Street
Erie, Pennsylvania 16502-1495

Leonard G. Ambrose III
Philip B. Friedman*
William P. Weichler

(814) 452-3069
Fax (814) 459-0968

*Also admitted in N.Y.

October 23, 1995

The Honorable Thomas Scrimenti
25-B Capitol Building
East Wing
Harrisburg, Pennsylvania 17120

Dear Tom:

I am writing to you regarding Senate Bill 806 (Printer's Number 855). As I understand it, the House Judiciary Committee has recently approved legislation which would amend the Pennsylvania Constitution to limit search and seizure law to conform to the Fourth Amendment to the United States Constitution. I am writing to urge you to vote against this very dangerous bill.

In recent years the Supreme Court of the United States has severely limited individual's rights in its interpretation of the Fourth Amendment. The Court has repeatedly stated, however, that states are free to provide greater protections to their citizens. The Supreme Court of Pennsylvania has in certain circumstances interpreted the Pennsylvania Constitution in such a manner as to provide greater protections to the citizens of this state. For example, the Supreme Court of Pennsylvania has provided that a warrant must be obtained before a citizen's bank records can be seized. The Supreme Court of the United States, on the other hand, does not recognize such a right of privacy. In addition, the Supreme Court of the United States has held that one may not have standing to challenge a search unless one has "standing." The reasoning of the Supreme Court is totally without logic and the Supreme Court of Pennsylvania has wisely refused to follow the lead of that majority.

The Supreme Court of the United States has moved drastically to the right in the last twenty years. Many commentators feel quite strongly that the Court's reasoning is without basis in many cases and represents a severe encroachment on the rights of this nation's citizens. The bill before the House, if adopted, would require the courts of Pennsylvania to walk in lock step with the Supreme Court of the United States regardless of the logic of that Court's conclusions. This would effectively undermine the independence of our own judiciary and place at risk the citizens of this Commonwealth. Our state's judiciary would in effect be subject to the political

October 23, 1995

Page Two

whim of the federal judiciary. The Pennsylvania Constitution would in effect become meaningless.

As I am certain you will recall, Chief Justice Sam Roberts, our last representative on the Supreme Court of Pennsylvania, took a leading role in making certain that the Pennsylvania judiciary was independent and a leader in protecting the rights of individuals. This amendment is an affront to the citizens of this state as well as to the memory of Justice Roberts.

I would strongly urge you to vote against the Senate Bill 806 and to take a leadership role in opposing its adoption. If I can be of any assistance or you require any additional information I would be grateful if you would contact me.

Best personal regards.

Very truly yours,

AMBROSE, FRIEDMAN and WEICHLER

BY



Philip B. Friedman, Esquire

PBF/krp

THOMAS J. SCRIMENTI
STATE REPRESENTATIVE

- 9 WEST MAIN STREET
NORTH EAST, PENNSYLVANIA 16428
PHONE: (814) 725-8664
- 9 WEST WASHINGTON STREET
CORRY, PENNSYLVANIA 16407
PHONE: (814) 664-9126
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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

AGING AND YOUTH
DEMOCRATIC CHAIRMAN OF THE
SUBCOMMITTEE ON AGING
PROFESSIONAL LICENSURE
AGRICULTURE AND RURAL AFFAIRS

June 2, 1995

Clarence T. Hess
ECATO President
8899 Old Wattsburg Road
Erie, Pennsylvania 16510

Dear Mr. Hess: - *Clarence,*

Thank you for contacting me to express the support of the Erie County Association of Township Officials for House Bill 702. This bill provides for a rewrite of the Pennsylvania Second Class Township Code.

I believe that this overall effort has been quite worthwhile, and is much needed. To be sure, certain provisions contained in the Code are out of date and in need of being rewritten. Further, I applaud the painstaking diligence of the House Local Government Committee, the Local Government Commission, and the various associations involved. Clearly, this has been a detailed, somewhat arduous process, but it is surely worthwhile.

Please know that I am in support of House Bill 702 in the form in which it was voted out of the House Local Government Committee. We will no doubt all benefit from the update, consolidation and reorganization of this statute, an effort to which your organization has significantly contributed.

Thank you again for writing. If I can be of any further assistance, please do not hesitate to contact my office.

Sincerely,

Thomas J. Scrimenti
Thomas J. Scrimenti
State Representative



ERIE COUNTY ASSOCIATION OF TOWNSHIP OFFICIALS

AMITY

CONCORD

May 22, 1995

CONNEAUT

Dear Honorable Thomas Scrimenti:

ELK CREEK

FAIRVIEW

FRANKLIN

GIRARD

GREENE

GREENFIELD

HARBORCREEK

LAWRENCE PARK

LEBOEUF

MCKEAN

MILLCREEK

NORTH EAST

SPRINGFIELD

SUMMIT

UNION

VENANGO

WASHINGTON

WATERFORD

WAYNE

The Pennsylvania State Association of Township Supervisors has advised our organization that House Bill 702 is scheduled for consideration by the full house this week. Our State Association and the House Local Government Committee has conducted numerous meetings on the rewrite of the Township Code. Also, the House Local Government Committee held a hearing at Edinboro Borough Hall, where House Bill 702 was the main subject of discussion. Testimony was given by our association and several townships requesting a township code revision to permit supervisors to be employed by the township in any capacity not otherwise prohibited by law. At present we can only be employed as road master, secretary, or treasurer. Supervisors should be able to be employed for example as public safety, water, or sewer administrators without being investigated by the State Ethics Commission.

The Erie County Association of Township Officials urge you to support House Bill 702 as it came out of the House Local Government Committee when it comes to a vote on the House Floor. Amendments to the bill could be detrimental to local government as offered by special interest groups.

Please contact me at the Greene Township Municipal Building (814) 825-3347 if you have any questions regarding House Bill 702.

Sincerely,

Clarence T. Hess
 Clarence T. Hess
 ECATO President