

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, JANUARY 9, 2023

SESSION OF 2023 207TH OF THE GENERAL ASSEMBLY

No. 3

SENATE

MONDAY, January 9, 2023

The Senate met at 1:04 p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor Kim L. Ward) in the Chair.

PRAYER

The Chaplain, Reverend JACK LUCAS, of Hilltop Baptist Church, Indiana, offered the following prayer:

If you would, let us pray.

Heavenly Father, we thank You for Your tender mercies and grace. We thank You for Your son, Jesus Christ, in whom we receive hope, peace, and life. Today, Lord, we just humbly pray that we see in Your world, in Your Word, the mist of much trouble, many times throughout this world, that Lord, through You, we are to shine as lights in this world and humbly pray that You give this Chamber the wisdom and discernment; You give them the grace and mercies that You truly can provide. Lord, I pray that as we make decisions for this great Commonwealth, that You give us the honor and to be exalting You through all things. Be with us today. In Your holy and most precious name we pray. Amen.

The PRESIDENT. The Chair thanks Pastor Lucas, who is the guest today of Senator Pittman.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was recited by those assembled.)

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:

January 6, 2023

Senators COLEMAN, HUTCHINSON, BARTOLOTTA, MASTRIANO, K. WARD, PHILLIPS-HILL, J. WARD, AUMENT and DUSH presented to the Chair **SB 130**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for election audits.

Which was committed to the Committee on STATE GOVERNMENT, January 6, 2023.

January 9, 2023

Senators BROOKS, ARGALL, BREWSTER, STEFANO, DILLON, BARTOLOTTA, KANE, DUSH, TARTAGLIONE, BROWN, MASTRIANO, SANTARSIERO, L. WILLIAMS, ROBINSON, J. WARD and FARRY presented to the Chair **SB 114**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, further providing for firefighter and emergency service training and establishing the Secondary Education Fire Training Pilot Program and the Fire Training Fund.

Which was committed to the Committee on EDUCATION, January 9, 2023.

Senators MASTRIANO, BAKER, STEFANO, ROBINSON, DUSH and MUTH presented to the Chair **SB 126**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for the exclusion of veterans' benefit payments from income for Commonwealth programs.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, January 9, 2023.

Senators MASTRIANO, COLLETT, STEFANO, ROBINSON and AUMENT presented to the Chair **SB 141**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in decorations, medals, badges and awards, further providing for authorized decorations, medals, badges and awards.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, January 9, 2023.

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:

January 9, 2023

Senators LANGERHOLC, YAW, K. WARD, GEBHARD, PHILLIPS-HILL, PENNYCUICK, BAKER, HUTCHINSON, LAUGHLIN, STEFANO, J. WARD, MARTIN, ARGALL, BARTOLOTTA, ROBINSON, ROTHMAN, AUMENT and DUSH presented to the Chair **SR 9**, entitled:

A Resolution urging the President of the United States to restart and expedite the completion of the Keystone XL pipeline.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, January 9, 2023.

GENERAL COMMUNICATION

PENNSYLVANIA EMERGENCY MANAGEMENT 2021 911 ANNUAL REPORT

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

PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY
1310 Elmerton Avenue
Harrisburg, PA 17110

December 1, 2022

To the General Assembly
Commonwealth of Pennsylvania
Harrisburg, PA 17120

RE: 2021 911 Annual Report

In accordance with 35 Pa.C.S. § 5303, PEMA is required to report to the General Assembly annually on the revenue and distributions from the 911 Fund for the previous year and compliance with the Commonwealth's 911 priorities by December 1st.

Attached is the Annual Report detailing revenue and distributions from the 911 Fund in 2021. The report also outlines our collective progress and accomplishments related to the 911 priorities in the Statewide 911 Plan. Pennsylvania 911 stakeholders have had many recent, notable accomplishments such as:

- 8 county 911 centers have been migrated to the statewide NG911 service
- 9 county 911 centers have access to the statewide management information system
- 21 counties have their GIS data ready to support NG911 call delivery
- PSAP reported costs increased less than 1% in 2021
- A new 911 System Planning process was deployed to promote statewide planning, coordination, and financial management

PEMA anticipates 2023 will result in many significant accomplishments for the Pennsylvania 911 community and we look forward to Pennsylvania's continued progress.

PEMA thanks our county partners for their hard work and assistance with developing this report.

Please contact me with any questions.

Thanks,

Westburn S.T. Majors
Legislative and Policy Director

The PRESIDENT. This report will be filed in the Library.

LEGISLATIVE LEAVES

The PRESIDENT. The Chair recognizes the gentleman from Indiana, Senator Pittman.

Senator PITTMAN. Madam President, we have no leaves.

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

Senator COSTA. Madam President, I request legislative leaves for Senator Hughes and Senator Anthony Williams.

The PRESIDENT. Senator Costa requests legislative leaves for Senator Hughes and Senator Anthony Williams. Without objection, the leaves will be granted.

**SPECIAL ORDER OF BUSINESS
SENATE RESOLUTION ADOPTED**

Senator L. WILLIAMS, by unanimous consent, offered **Senate Resolution No. 10**, entitled:

A RESOLUTION

Honoring the life and service of Brackenridge Police Chief, Justin McIntire.

WHEREAS, Brackenridge Police Chief, Justin McIntire, was shot and killed in the line of duty on January 2, 2023, four years to the day he was sworn in as Chief; and

WHEREAS, Chief McIntire was 46 years of age and is remembered for his 22 years of honorable police service and countless hours of dedication as a youth football coach; and

WHEREAS, Chief McIntire sadly leaves behind a wife and four children; and

WHEREAS, There has been an outpouring of support through vigils and memorials as Chief McIntire's family, friends and fellow officers mourn the loss of a beloved member of their community; and

WHEREAS, Chief McIntire made the ultimate sacrifice protecting his community and the residents of this Commonwealth; therefore be it

RESOLVED, That the Senate honor the life and service of Brackenridge Police Chief, Justin McIntire; and be it further

RESOLVED, That the Senate extend condolences to the family, friends, loved ones and the entire community as they honor the life and sacrifice of Chief Justin McIntire.

On the question,

Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentlewoman from Allegheny, Senator Lindsey Williams.

Senator L. WILLIAMS. Madam President, I rise today, on National Law Enforcement Appreciation Day, to offer this condolence resolution for Brackenridge Police Chief, Justin McIntire, who made the ultimate sacrifice in service of his community. Chief McIntire was born in Harrison Township and was a lifelong resident of the Brackenridge area. He graduated from Highlands High School and the Allegheny County Police Academy in North Park. Upon graduation from the academy, Chief McIntire became a sworn officer and began a career serving the public, rising through the ranks and being sworn in as Brackenridge Police Chief on January 2, 2019. Four years later on January 2, 2023, Chief McIntire answered the call of duty as he has done so many times before and as so many of our first responders do every day. But this day was the day that our first responders, their loved ones, and our communities dread: the day that our first responder does not return home. Chief McIntire was shot and killed in the line of duty during a foot pursuit of an individual that lasted several hours and covered multiple jurisdictions. Tarentum Borough patrolman, Jordan Schrecengost, was also shot during this pursuit. He was treated for his injuries and has since been able to return home to his family. We offer our thoughts and prayers to Officer Schrecengost and his family as he continues to recover physically and mentally from the injuries he sustained on January 2.

I would also like to take the time to thank and recognize the first responders from across Allegheny County--police officers,

EMTs, paramedics, and 911 dispatchers--who coordinated the response to this incident, responded in person, provided coverage for those on scene, and those who work every day to keep our communities safe. Our first responders face dangerous and demanding situations every time they answer the call, and yet they continue to do so day after day, despite these risks. Chief McIntire served his community not just through police work, but also in other ways, including coaching the Highland Hornets youth football team. His commitment to the entire Allegheny Valley can be seen by the outpouring of support through memorials and vigils, including a beautiful candlelight vigil on Thursday night that was attended by over 1,000 community members. Chief McIntire leaves behind a wife, Ashley; two sons, Jordan and Justin Jr., or "JJ"; a daughter, Alexis; and a stepson, Brennin; his parents, Emma and John; and many other family members who will miss him dearly. This week, the community where Chief McIntire lived and served is gathering to say their final goodbyes. I know you all join me in sending your thoughts and prayers to the family, friends, and loved ones of Chief McIntire and the entire Allegheny Valley community during this incredibly difficult time. Madam President, I ask for an affirmative vote on this condolence resolution recognizing the life, service, and sacrifice of Chief Justin McIntire.

And the question recurring,
Will the Senate adopt the resolution?

The yeas and nays were required by Senator L. WILLIAMS and were as follows, viz:

YEA-49

Argall	Dillon	Langerholc	Santarsiero
Aument	DiSanto	Laughlin	Saval
Baker	Dush	Martin	Schwank
Bartolotta	Farry	Mastriano	Stefano
Boscola	Flynn	Miller	Street
Brewster	Fontana	Muth	Tartaglione
Brooks	Gebhard	Pennycuick	Vogel
Brown	Haywood	Phillips-Hill	Ward, Judy
Cappelletti	Hughes	Pittman	Ward, Kim
Coleman	Hutchinson	Regan	Williams, Anthony
Collett	Kane	Robinson	Williams, Lindsey
Comitta	Kearney	Rothman	Yaw
Costa			

NAY-0

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

The PRESIDENT. The resolution is adopted.

**GUESTS OF SENATOR JOE PITTMAN
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Indiana, Senator Pittman.

Senator PITTMAN. Madam President, it is a distinct honor to have a constituent here today who served as guest pastor, Reverend Jack Lucas of the Hilltop Baptist Church. He is also accompanied by his assistant pastor, Steve Rearick. I have known Pastor Lucas for many, many years. He served this Commonwealth as a Game Commission enforcement officer. He also serves our

community as a chaplain for law enforcement, EMS, and the fire services community; and so, I know that today, as we recognized the previous condolence resolution, that it is particularly meaningful to Pastor Lucas. It is an honor to have him here today, and I ask that the Senate give him their usual warm welcome.

The PRESIDENT. Would the guests of Senator Pittman please rise so that the Senate may give you its usual warm welcome.

[Applause.]

**GUESTS OF SENATOR JUDY SCHWANK
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentlewoman from Berks, Senator Schwank.

Senator SCHWANK. Madam President, it is a real delight today for me to introduce my first guests of the new Session, and that is the Ramkissoon family, and specifically, Nathan Ramkissoon is here today to be recognized for achieving his Eagle Scout award. Nathan is a Muhlenberg High School student, who recently achieved, as I said, the rank of Eagle Scout. His Eagle Scout project was the creation of a COVID-19 memorial at Jim Dietrich Park in Muhlenberg Township. Nathan created the memorial as a tribute to the lives that were lost due to the virus and for the people who continue to keep us safe. His project, in fact, made the front page of the *Reading Eagle* newspaper. In addition to his achievements in scouting, Nathan has also received accolades for his studies. He has maintained a 4.0 average GPA since 9th grade. He also plays in the band, and he has actually received a certificate from President Biden for outstanding academic achievement, and he truly is a high achiever. Nathan is joined today with his parents, Anthony and Cindy, as well as his younger sister, Julia, who I think I will probably be introducing someday too. Would my colleagues please join me in welcoming the Ramkissoon family here.

The PRESIDENT. Would the guests of Senator Schwank please rise so that the Senate may give you its usual warm welcome.

[Applause.]

**GUESTS OF SENATOR DEVLIN ROBINSON
PRESENTED TO THE SENATE**

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

Senator ROBINSON. Madam President, joining us in the gallery today is one of my very good friends, Ashley Estes. Ashley is a student at Fort Cherry School District and a proud member of the 4-H, and visiting Harrisburg this week for the 2023 Pennsylvania Farm Show. Ashley is competing in the 12- to 15-year-old age group, where among 18 students, and yesterday, she was awarded a blue ribbon after her lamb placed 1st in class in the marketplace; and she was even selected for showmanship and competed for master showman. Ashley is the daughter of Jill and Victor Estes and is joined today in the gallery by her mother, Jill. Madam President, Ashley has proven to be a bright young woman with a very promising future ahead of her, and we are thrilled to have her visiting Harrisburg with us today. I ask my colleagues to extend a warm Senate welcome to Ashley Estes and her family.

Thank you, Madam President.

The PRESIDENT. Would the guests of Senator Robinson please rise so the Senate may give you its usual warm welcome. [Applause.]

RECESS

The PRESIDENT. The Chair recognizes the gentleman from Indiana, Senator Pittman.

Senator PITTMAN. Madam President, I request a recess of the Senate for purposes of a meeting of the Committee on Transportation to be held immediately in the Rules room, followed by a Republican caucus to be held in the Majority Caucus Room.

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

Senator COSTA. Madam President, at the conclusion of the meeting of the Committee on Transportation, Senate Democrats will not be caucusing and will return to the floor when the Republican caucus is complete.

The PRESIDENT. For purposes of a meeting of the Committee on Transportation to be held in the Rules room, followed by a Republican caucus to be held in the Majority Caucus Room, without objection, the Senate stands in recess.

AFTER RECESS

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

GENERAL COMMUNICATION

RECALL OF REGULAR SESSION

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

SENATE OF PENNSYLVANIA

January 8, 2023

TO: President and All Members of the Senate
FROM: Senator KIM WARD
President Pro Tempore
RE: Recall to Session
Monday, January 9, 2023

Consistent with the recess motion made on January 6, 2023, the Senate is recalled for session tomorrow, Monday, January 9, 2023, at 1:00 PM for the purpose of a voting session.

BILL INTRODUCED AND REFERRED

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

January 9, 2023

Senators AUMENT, K. WARD, PENNYCUICK, LAUGHLIN, COLEMAN, ARGALL, BARTOLOTTA, DiSANTO, MARTIN, PHILLIPS-HILL, BROOKS, HUTCHINSON, ROBINSON, BAKER, LANGERHOLC,

REGAN, GEBHARD, VOGEL, J. WARD, STEFANO, YAW, ROTHMAN and DUSH presented to the Chair **SB 2**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for action on concurrent orders and resolutions.

Which was committed to the Committee on STATE GOVERNMENT, January 9, 2023.

BILLS REPORTED FROM COMMITTEE

Senator LANGERHOLC, from the Committee on Transportation, reported the following bills:

SB 35 (Pr. No. 13)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in liquid fuels and fuels tax, further providing for definitions.

SB 95 (Pr. No. 8)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, further providing for use of farm vehicle plates.

SB 96 (Pr. No. 9)

An Act designating a bridge, identified as Bridge Key 8537, carrying Pennsylvania Route 869 over a tributary of the Little Conemaugh River in Jackson Township, Cambria County, as the Sergeant Vance Stephan Keslar Memorial Bridge; designating a bridge, identified as Bridge Key 8392, carrying Pennsylvania Route 53 over Bruebaker Run in Dean Township, Cambria County, as the U.S. Army Technical Sergeant Joseph F. Johnston Memorial Bridge; designating a bridge, identified as Bridge Key 43267, on that portion of State Route 3041, also known as Dishong Mountain Road, over U.S. Route 22 in Jackson Township, Cambria County, as the Technical Sergeant Mike Capelli Memorial Bridge; and making a repeal.

SB 121 (Pr. No. 11)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, providing for restrictions on appropriations; and making a repeal.

SB 122 (Pr. No. 12)

An Act designating a bridge, identified as Bridge Key 45701, carrying Pennsylvania Route 403 over the Conemaugh River between Johnstown City and West Taylor Township, Cambria County, as the Captain Raymond W. Callahan, Jr., Memorial Bridge; designating a bridge, identified as Bridge Key 8574, carrying State Route 1021 over Clearfield Creek between Reade Township and White Township, Cambria County, as the CPL Reid Rex Ross 3 BT 26 Marine Reg. Memorial Bridge; designating a bridge, identified as Bridge Key 56008, carrying Pennsylvania Route 403 over Stonycreek River in Johnstown City, Cambria County, as the Sgt. John C. Alaimo Memorial Bridge; designating a bridge, identified as Bridge Key 8444, carrying US Route 219 over Pennsylvania Route 56, also known as Scalp Avenue, in Richland Township, Cambria County, as the PFC Stanley Albert Stys Memorial Bridge; designating a bridge, identified as Bridge Key 8547, located on State Route 1002, Cambria Township, Cambria County, as the PFC Cyril T. Yeckley Memorial Bridge; and making repeals.

RECESS

The PRESIDENT. The Chair recognizes the gentleman from Indiana, Senator Pittman.

Senator PITTMAN. Madam President, I request a recess of the Senate for the purpose of a meeting of the Committee on State Government to be held in the Rules room immediately.

The PRESIDENT. For the purpose of a meeting of the Committee on State Government to be held in the Rules room immediately, without objection, the Senate stands in recess.

AFTER RECESS

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

**UNFINISHED BUSINESS
BILLS REPORTED FROM COMMITTEE**

Senator DUSH, from the Committee on State Government, reported the following bills:

SB 1 (Pr. No. 22) (Amended)

A Joint Resolution proposing separate and distinct amendments to the Constitution of the Commonwealth of Pennsylvania, further providing for action on concurrent orders and resolutions and for qualifications of electors.

SB 130 (Pr. No. 15)

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for election audits.

BILLS ON FIRST CONSIDERATION

Senator MILLER. Madam President, I move that the Senate do now proceed to consideration of all bills reported from committees for the first time at today's Session.

The motion was agreed to by voice vote.
The bills were as follows:

SB 1, SB 35, SB 95, SB 96, SB 121, SB 122 and SB 130.

And said bills having been considered for the first time,
Ordered, To be printed on the Calendar for second consideration.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

SENATE OF PENNSYLVANIA
COMMITTEE MEETINGS

TUESDAY, JANUARY 10, 2023

9:30 A.M.	VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (to consider Senate Bills No. 126 and 141)	Room 8E-B East Wing (LIVE STREAMED)
10:00 A.M.	EDUCATION (to consider Senate Bills No. 84 and 114)	Room 8E-A East Wing (LIVE STREAMED)

Off the Floor RULES AND EXECUTIVE NOMINATIONS Rules Committee
(to consider Senate Bills No. 1 and 130; and Conference Room
certain Executive Nominations)

PETITIONS AND REMONSTRANCES

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

Senator TARTAGLIONE. Thank you, Madam President. Now, it is not the first time that I have said that in this Chamber, but I am looking forward to a time when it does not strike me as abnormal to say it. It is a great thing to have a woman so high up in places of power.

For those who are new to the Senate, every Session day I will be here highlighting how long it has been since we last passed an increase in our Commonwealth's minimum wage. It has been 6,028 days. Madam President, this is a sin. For 16 1/2 years, this Commonwealth's legislature has decided the status quo is acceptable; that our poverty-level minimum wage is acceptable. Across this nation, more than half of the States passed an increase in their minimum wage, and raising the minimum wage is not just a blue State priority. States like Alaska, Arizona, New Mexico, Florida, Virginia, Ohio, Missouri, Nebraska, South Dakota, and Montana; none are overly Democratic States, but all decided that their State's lowest earners deserve to make a living wage, and I agree with them. We must act here in Pennsylvania to provide relief for our Commonwealth's lowest earners. That is why I will reintroduce Senate Bill No. 12. While we failed the last Session to pass meaningful minimum-wage reforms, we can do it right now. Legislation will be moving, the wheels of government are turning, let us include minimum-wage reform in the first pieces of action our legislature takes. Let us raise Pennsylvania's minimum wage.

Thank you, Madam President.

RECESS

The PRESIDENT. The Chair recognizes the gentleman from Lancaster, Senator Aument.

Senator AUMENT. Madam President, I move that the Senate do now recess until Tuesday, January 10, 2023, at 10:30 a.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 4:45 p.m., Eastern Standard Time.