

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

TUESDAY, JANUARY 10, 2023

SESSION OF 2023 207TH OF THE GENERAL ASSEMBLY

No. 4

**SENATE**

TUESDAY, January 10, 2023

The Senate met at 10:30 a.m., Eastern Standard Time.

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

**PRAYER**

The following prayer was offered by Senator GREG ROTHMAN:

The Book of Matthew says where two or more are gathered in Your name, I am there. So, we welcome You as we gather in this grand, magnificent room. Your presence is evident in all the blessings that this Commonwealth and this nation has had bestowed upon them. First among them, the freedom to worship You, and live out our faith in a way pleasing to You. As we begin a new year, let us focus on You and Your commands. The first, to love You with all our hearts, minds, and soul. The second, to love others. May we love our neighbors as ourselves. May we thank You for the struggles and heartbreak. We know from Your Word that suffering is part of living in this world. You do not promise a life without pain, heartbreak, tragedy, and disappointment, but You do promise peace if we seek it and seek You.

May we turn to You, God, as we enter this new year of opportunity and anticipation. May we stop worrying, and instead be thankful. Philippians 4:6-8 says: "Do not be anxious about anything, but in every situation, by prayer and petition, with thanksgiving, present your requests to God. And the peace of God, which transcends all understanding, will guard your hearts and your minds in Christ Jesus." And finally, brothers and sisters, whatever is true, whatever is noble, whatever is right, whatever is pure, whatever is lovely, whatever is admirable, if anything is excellent or praiseworthy, let us think about such things.

Thank You, God, for the blessings of life and liberty. May You continue to bless the Commonwealth of Pennsylvania and the United States of America. Amen.

The PRESIDENT. The Chair thanks Senator Rothman.

**PLEDGE OF ALLEGIANCE**

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

**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 BROOKS, COLLETT, DILLON, BARTOLOTTA, STEFANO, KANE, STREET, J. WARD, CAPPELLETTI, MASTRIANO, COSTA, HUTCHINSON, ROBINSON and REGAN presented to the Chair **SB 155**, entitled:

An Act amending the act of March 28, 1984 (P.L.150, No.28), known as the Automobile Lemon Law, further providing for definitions, for repair obligations, for manufacturer's duty for refund or replacement and for presumption of a reasonable number of attempts.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, January 9, 2023.

**BILLS REPORTED FROM COMMITTEES**

Senator MASTRIANO, from the Committee on Veterans Affairs and Emergency Preparedness, reported the following bills:

**SB 126 (Pr. No. 16)**

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.

**SB 141 (Pr. No. 17)**

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.

Senator ARGALL, from the Committee on Education, reported the following bills:

**SB 84 (Pr. No. 10)**

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in professional employees, repealing provisions relating to religious garb, insignia, etc., prohibited and penalty.

**SB 114 (Pr. No. 18)**

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.

LEGISLATIVE LEAVES

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

Senator PITTMAN. Madam President, I request a temporary Capitol leave for Senator Martin.

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

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

The PRESIDENT. Senator Pittman requests a temporary Capitol leave for Senator Martin.

Senator Costa requests legislative leaves for Senator Anthony Williams and Senator Lindsey Williams.

Without objection, the leaves will be granted.

CALENDAR

SECOND CONSIDERATION CALENDAR

SB 96 CALLED UP OUT OF ORDER

SB 96 (Pr. No. 9) -- Without objection, the bill was called up out of order, from page 1 of the Second Consideration Calendar, by Senator PITTMAN, as a Special Order of Business.

BILL ON SECOND CONSIDERATION

SB 96 (Pr. No. 9) -- The Senate proceeded to consideration of the bill, entitled:

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.

On the question, Will the Senate agree to the bill on second consideration?

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

YEA-49

Table with 4 columns of names: Argall, Aument, Baker, Bartolotta, Boscola, Brewster, Brooks, Brown, Cappelletti, Coleman, Collett, Dillon, DiSanto, Dush, Farry, Flynn, Fontana, Gebhard, Haywood, Hughes, Hutchinson, Kane, Langerholc, Laughlin, Martin, Mastriano, Miller, Muth, Pennyquick, Phillips-Hill, Pittman, Regan, Robinson, Santarsiero, Saval, Schwank, Stefano, Street, Tartaglione, Vogel, Ward, Judy, Ward, Kim, Williams, Anthony, Williams, Lindsey

Comitta, Kearney, Rothman, Yaw, Costa

NAY-0

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

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

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Martin has returned, and his temporary Capitol leave is cancelled.

SPECIAL ORDER OF BUSINESS SENATE RESOLUTION ADOPTED

Senators STREET, HAYWOOD, FONTANA, BARTOLOTTA, CAPPELLETTI, KEARNEY, BOSCOLA, KANE, COLLETT, MARTIN, STEFANO, DILLON, COSTA, DUSH, J. WARD, SANTARSIERO, HUTCHINSON, COMMITTA and MUTH, by unanimous consent, offered Senate Resolution No. 13, entitled:

A RESOLUTION

Designating the week of January 15 through 22, 2023, as "Dr. Martin Luther King, Jr., Holiday Week" in Pennsylvania.

WHEREAS, Martin Luther King, Jr., born January 15, 1929, in Atlanta, Georgia, followed in his father's and grandfather's footsteps by becoming a Baptist minister after graduation from Morehouse College in 1948 and Crozer Theological Seminary in 1951; and

WHEREAS, Dr. King received his doctorate from Boston University in 1955; and

WHEREAS, In 1954, as pastor of the Dexter Avenue Baptist Church in Montgomery, Alabama, Dr. King organized a boycott of the city's segregated busing system, which led to a United States Supreme Court decision forcing desegregation of the buses; and

WHEREAS, Throughout this and later civil rights protests, Dr. King espoused the philosophy of nonviolent passive resistance and civil disobedience; and

WHEREAS, In 1957, Dr. King moved back to Atlanta to join his father as associate pastor of the Ebenezer Baptist Church and organized the Southern Christian Leadership Conference to fight segregation and discrimination throughout the South; and

WHEREAS, During the following years, Dr. King was frequently arrested, beaten, jailed and threatened with violence as a result of his protest activities; and

WHEREAS, Dr. King led a massive voter registration drive in Selma, Alabama, resulting in the famous freedom march to Montgomery, the state capital; and

WHEREAS, Dr. King's famous march on Washington, DC, in 1963 culminated in a great rally at the Lincoln Memorial where he gave his immortal "I have a dream" speech; and

WHEREAS, Dr. King's efforts resulted in enactment of the Federal Civil Rights Act of 1964; and

WHEREAS, Dr. King's personal sacrifices and determined leadership of the civil rights movement in the United States were formally recognized in 1964 when he received the Nobel Peace Prize; and

WHEREAS, Dr. King was assassinated in 1968 while in Memphis, Tennessee, to organize a Poor People's Campaign; and

WHEREAS, The third Monday of January has been designated as a national holiday in order to give all Americans an opportunity to reflect upon the profound impact Dr. King has had on life in the United States; therefore be it

RESOLVED, That the Senate designate the week of January 15 through 22, 2023, as "Dr. Martin Luther King, Jr., Holiday Week" in Pennsylvania; and be it further

RESOLVED, That the Senate urge all Pennsylvanians to be mindful of the spirit and work of Dr. Martin Luther King, Jr., and to remember

his commitment to peace and his dedication to equality for all human beings on the designated week of his remembrance and throughout the year.

On the question,  
Will the Senate adopt the resolution?

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

Senator STREET. Madam President, as we all know, Dr. King was one of the seminal figures in advancing civil rights, not only for African Americans, but for all people in the Commonwealth of Pennsylvania. Many do not realize, as was read, Dr. King actually studied seminary at Crozer Theological Seminary, right here in the Commonwealth. His connection to the Commonwealth, but more moreover to the principles of the founding of this country--that was founded right here in the Commonwealth of Pennsylvania--are, in fact, indisputable. His contributions to making America a better place for all Americans, and that certainly includes all Pennsylvanians, are without equal. And so, I think it is duly fitting that the Members of this body adopt this resolution in honor of the legacy and contributions of Dr. Martin Luther King. So, I urge a "yes" vote.

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

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

**ANNOUNCEMENT BY THE PRESIDENT**

The PRESIDENT. For the information of Members, we will now consider two condolence resolutions offered by Senator Coleman. After voting on both resolutions, the Chair will request a moment of silence for the fallen firefighters.

**SPECIAL ORDER OF BUSINESS  
SENATE RESOLUTIONS ADOPTED  
AND MOMENT OF SILENCE OBSERVED**

Senators COLEMAN, ARGALL, CAPPELLETTI, BROOKS, LAUGHLIN, PHILLIPS-HILL, COMITTA, PENNYCUICK, YAW, GEBHARD, LANGERHOLC, KANE, SANTARSIERO, HUGHES, BREWSTER, MARTIN, TARTAGLIONE, HUTCHINSON, FARRY, BARTOLOTTA, COSTA, STEFANO, K. WARD, MASTRIANO, ROBINSON, AUMENT, J. WARD, BAKER and DUSH by unanimous consent, offered **Senate Resolution No. 14**, entitled:

A RESOLUTION

Honoring the life and service of Marvin L. Gruber, firefighter for the Community Fire Company of New Tripoli, who was killed in the line of duty on December 7, 2022.

WHEREAS, On December 7, 2022, Firefighter Marvin L. Gruber of New Tripoli was tragically killed in the line of duty due to injuries he sustained while battling a house fire in West Penn Township; and

WHEREAS, Firefighter Gruber was 59 years of age and had worked as the Assistant Director of Public Safety for the Northampton Community College in Bethlehem for the past 22 years; and

WHEREAS, Firefighter Gruber started his involvement in the fire service in the late 1980s; and

WHEREAS, Firefighter Gruber also served as assistant chief of the former Northwestern Ambulance Corps; and

WHEREAS, Firefighter Gruber served as a deacon for Ebenezer United Church of Christ in New Tripoli; and

WHEREAS, In 2020, Firefighter Gruber joined the Community Fire Company of New Tripoli as a volunteer firefighter; and

WHEREAS, Firefighter Gruber leaves behind his wife of 35 years, Karen, two children, Nicolas and Jordan and three grandchildren, Cole, Lucas and McKenzie; and

WHEREAS, Firefighter Gruber died selflessly serving the people of this Commonwealth; therefore be it

RESOLVED, That the Senate honor the life and service of Marvin L. Gruber, firefighter for the Community Fire Company of New Tripoli, who was killed in the line of duty on December 7, 2022.

On the question,  
Will the Senate adopt the resolution?

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

**LEAVE OF ABSENCE**

Senator PITTMAN asked and obtained a leave of absence for Senator ROTHMAN for personal reasons.

Senators COLEMAN, ARGALL, CAPPELLETTI, BROOKS, LAUGHLIN, PHILLIPS-HILL, COMITTA, PENNYCUICK, YAW, GEBHARD, LANGERHOLC, KANE, SANTARSIERO, HUGHES, BREWSTER, MARTIN, TARTAGLIONE, HUTCHINSON, FARRY, BARTOLOTTA, COSTA, STEFANO, K. WARD, MASTRIANO, ROBINSON, AUMENT, J. WARD, BAKER and DUSH by unanimous consent, offered **Senate Resolution No. 15**, entitled:

A RESOLUTION

Honoring the life and service of Assistant Fire Chief Zachary T.A. Paris, with the Community Fire Company of New Tripoli, who was killed in the line of duty on December 7, 2022.

WHEREAS, Assistant Fire Chief Zachary T.A. Paris was born May 10, 1986, in Reading, and he began his career in firefighting at the age of 15 when he began volunteering with the Blandon Fire Company; and

WHEREAS, In 2010, Assistant Fire Chief Paris joined the Community Fire Company of New Tripoli as a volunteer firefighter, where he went on to become Assistant Chief; and

WHEREAS, In March 2022, Assistant Fire Chief Paris became a member of recruit class 32 for the Frederick County Division of Fire and Rescue in Maryland; and

WHEREAS, Upon graduation in September 2022, Assistant Fire Chief Paris became a career Firefighter and EMT and began working for the Green Valley Fire Station; and

WHEREAS, Assistant Fire Chief Paris served the communities of Green Valley and New Tripoli since September 2022; and

WHEREAS, Assistant Fire Chief Paris leaves behind his wife, Elizabeth, parents Gerold and Carol and two daughters, Lila and Amelia; and

WHEREAS, Assistant Fire Chief Paris died selflessly serving the people of this Commonwealth; therefore be it

RESOLVED, That the Senate honor the life and service of Assistant Fire Chief Zachary T.A. Paris, with the Community Fire Company of New Tripoli, who was killed in the line of duty on December 7, 2022.

On the question,  
Will the Senate adopt the resolution?

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

Senator COLEMAN. Madam President, Pennsylvania has a long history of neighbors helping neighbors. Our Commonwealth was founded on that principle. Generations of Pennsylvanians

have continued to volunteer in service to one another. Ben Franklin, one of Pennsylvania's most notable figures, founded a volunteer fire company in 1736. It was the first one in the nation, before we even were a nation. Two firemen from the New Tripoli Fire Company carried on that tradition. Marvin Gruber and Zachary Paris died in the line of duty on December 7, 2022. They lost their lives in service of the Commonwealth. My fellow Senators, I stand here today and thank you for your support in honoring the service of these two brave men. I thank you personally and on behalf of the Paris and Gruber families and on behalf of all the people of the 16th Senatorial District. These men will be forever remembered as heroes. Thank you.

And the question recurring,  
 Will the Senate adopt the resolution?  
 A voice vote having been taken, the question was determined in the affirmative.  
 The PRESIDENT. Will the Members and guests please rise for a moment of silence for Assistant Fire Chief Zachary Paris and firefighter Marvin Gruber of the New Tripoli Fire Company.  
 [Whereupon, the Senate en bloc stood in a moment of silence in solemn respect to the memory of ZACHARY PARIS and MARVIN GRUBER.]

**CONSIDERATION OF CALENDAR RESUMED  
 SECOND CONSIDERATION CALENDAR RESUMED**

**BILLS ON SECOND CONSIDERATION  
 AND REREFERRED**

**SB 1 (Pr. No. 22)** -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the second time and agreed to,  
 Ordered, To be printed on the Calendar for third consideration.  
 Upon motion of Senator PITTMAN, and agreed to by voice vote, the bill just considered was rereferred to the Committee on Rules and Executive Nominations.

**SB 35 (Pr. No. 13)** -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the second time and agreed to,  
 Ordered, To be printed on the Calendar for third consideration.  
 Upon motion of Senator PITTMAN, and agreed to by voice vote, the bill just considered was rereferred to the Committee on Appropriations.

**BILL OVER IN ORDER**

**SB 95** -- Without objection, the bill was passed over in its order at the request of Senator PITTMAN.

**BILLS ON SECOND CONSIDERATION**

**SB 121 (Pr. No. 11)** -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the second time and agreed to,  
 Ordered, To be printed on the Calendar for third consideration.

**SB 122 (Pr. No. 12)** -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the second time and agreed to,  
 Ordered, To be printed on the Calendar for third consideration.

**BILL ON SECOND CONSIDERATION  
 AND REREFERRED**

**SB 130 (Pr. No. 15)** -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the second time and agreed to,  
 Ordered, To be printed on the Calendar for third consideration.  
 Upon motion of Senator PITTMAN, and agreed to by voice vote, the bill just considered was rereferred to the Committee on Rules and Executive Nominations.

The PRESIDENT. The Senate will be at ease.  
 [The Senate was at ease.]

**ANNOUNCEMENTS BY THE SECRETARY**

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

**SENATE OF PENNSYLVANIA  
 COMMITTEE MEETINGS**

WEDNESDAY, JANUARY 11, 2023

9:30 A.M.	APPROPRIATIONS (to consider Senate Bill No. 35)	Rules Committee Conference Room
Off the Floor	APPROPRIATIONS (to consider Senate Bills No. 1 and 130)	Rules Committee Conference Room

### PETITIONS AND REMONSTRANCES

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

Senator TARTAGLIONE. Madam President, I rise because today marks 6,029 days since this Commonwealth's legislature last passed an increase in our minimum wage--\$7.25 an hour; 1 cent every 5 seconds; 12 cents every minute; \$58 a day; \$290 a week; \$1,060 a month; \$15,080 a year. I think sometimes, Madam President, we lose sight of what it really means to be a minimum-wage earner. I have come up here time and time again and called our minimum wage an embarrassment and too low. But let us call it what it really is: legalized government-sanctioned poverty. There is not a person in this Chamber who could survive off our minimum wage. I cannot even imagine there is a person in this Chamber with a mortgage or rent payment that is under \$1,060 a month. Yet, we are expecting nearly 600,000 Pennsylvanians to make it or near \$7.25 an hour. I, for one, think it is unconscionable to tell hardworking Pennsylvanians from across the Commonwealth that their time, their work, and their lives are worth so little. That is why I am reintroducing Senate Bill No. 12, legislation that would finally put Pennsylvanians on the path to \$15 an hour. Pennsylvanians deserve better, and as elected officials, it is our job to ensure our Commonwealth works for all constituents. That is why I am asking for all of my Senate colleagues to support Senate Bill No. 12 when it is reintroduced.

Thank you, Madam President.

### 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 Senate Republicans to begin at noon. For the information of the Members, we expect the Senate to return at approximately 4:30 p.m. We expect no other roll-call votes; however, we do expect a meeting of the Committee on Rules and Executive Nominations to be held off the floor at approximately 4:30 p.m.

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

Senator COSTA. Madam President, Senate Democrats will meet in the rear of the Chamber for a caucus.

The PRESIDENT. For the purpose of Republican and Democratic caucuses, without objection, the Senate stands in recess.

### AFTER RECESS

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

### LEAVE CANCELLED

The PRESIDENT. Senator Rothman has returned, and his personal leave is cancelled.

### 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

Rules and Executive Nominations, which will be held off the floor in the Rules room immediately.

The PRESIDENT. For the purpose of a meeting of the Committee on Rules and Executive Nominations 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 PITTMAN, from the Committee on Rules and Executive Nominations, reported the following bills:

#### SB 1 (Pr. No. 26) (Amended) (Rereported)

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

#### SB 130 (Pr. No. 15) (Rereported)

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

### BILLS ON FIRST CONSIDERATION

Senator BARTOLOTTA. 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 84, SB 114, SB 126 and SB 141.

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

### RECESS

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

Senator PITTMAN. Madam President, I move that the Senate do now recess until Wednesday, January 11, 2023, at 10 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 5:02 p.m., Eastern Standard Time.