

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 3

Session of  
2015

INTRODUCED BY CORMAN, JANUARY 6, 2015

INTRODUCED AND ADOPTED, JANUARY 6, 2015

A RESOLUTION

1 Adopting the Rules of the Senate for the 199th and 200th Regular  
2 Session.

3 RESOLVED, That the following be adopted as the Rules of the  
4 Senate for the governing of the 199th and 200th Regular Session.

5 (2015-2016)

6 RULES OF THE SENATE OF PENNSYLVANIA

7 Rule 1. Sessions.

8 (a) Regular and special.--The General Assembly shall be a  
9 continuing body during the term for which its Representatives  
10 are elected. It shall meet at twelve o'clock noon on the first  
11 Tuesday of January each year. Special sessions shall be called  
12 by the Governor on petition of a majority of the Members elected  
13 to each House or may be called by the Governor whenever in his  
14 opinion the public interest requires. (Const. Art. 2, Sec. 4)

15 (b) Weekly.--The Senate shall convene its weekly sessions on  
16 Monday, unless the Senate shall otherwise direct.

17 Rule 2. President.

18 The Lieutenant Governor shall be President of the Senate.

1 (Const. Art. 4, Sec. 4)

2 Rule 3. Duties of the President.

3 The President shall:

4 (1) Take the chair on every legislative day at the hour  
5 to which the Senate stands recessed, immediately call the  
6 Senators to order, and proceed with the Order of Business of  
7 the Senate.

8 (2) While in session have general direction of the  
9 Senate Chamber. It shall be the President's duty to preserve  
10 order and decorum, and, in case of disturbance or disorderly  
11 conduct in the Chamber or galleries, may cause the same to be  
12 cleared. When in the President's opinion there arises a case  
13 of extreme disturbance or emergency the President shall, with  
14 the concurrence of the President Pro Tempore, the Majority  
15 and Minority Leaders, recess the Senate. Such recess shall  
16 not extend beyond the limitation imposed by Article 2,  
17 Section 14 of the Constitution.

18 (3) During debate, prevent personal references or  
19 questions as to motive, and confine Senators, in debate, to  
20 the question.

21 (4) Decide, when two or more Senators arise, who shall  
22 be first to speak.

23 (5) In the presence of the Senate, within one  
24 legislative day after receipt or adoption, sign all bills and  
25 joint resolutions which have passed both Houses after their  
26 titles have been read.

27 (6) Sign resolutions, orders, writs, warrants and  
28 subpoenas issued by order of the Senate. The signature shall  
29 be attested by the Secretary-Parliamentarian of the Senate,  
30 or, if absent, by the Chief Clerk; and the fact of signing

1 shall be entered in the Journal.

2 (7) Decide all points of order, subject to appeal,  
3 giving, however, any Member called to order the right to  
4 extenuate or justify. Debate shall not be permitted unless  
5 there be an appeal from a decision of the President in which  
6 event the President shall submit the question to the whole  
7 Senate for decision. The President shall submit points of  
8 order involving the constitutionality of any matter to the  
9 Senate for decision. Questions of order submitted to the  
10 Senate may be debated.

11 Rule 4. President Pro Tempore.

12 (a) Election.--The Senate shall, at the beginning and close  
13 of each regular session and at such other times as may be  
14 necessary, elect one of its Members President Pro Tempore, who  
15 shall perform the duties of the Lieutenant Governor in any case  
16 of absence or disability of that officer, and whenever the  
17 office of Lieutenant Governor shall be vacant. (Const. Art. 2,  
18 Sec. 9)

19 (b) Voting.--The vote of a majority of the Members voting  
20 shall be required to elect a President Pro Tempore. Except at  
21 the beginning and close of each regular session, the Senate  
22 shall only elect a President Pro Tempore when the office has  
23 become vacant and the vote of the majority of the Members  
24 elected shall be required to vacate the office of a seated  
25 President Pro Tempore.

26 Rule 5. Duties of President Pro Tempore.

27 (a) Mandatory.--The President Pro Tempore shall:

28 (1) Appoint the Chair, Vice-Chair and members of the  
29 Standing Committees of the Senate as soon after the election  
30 of the President Pro Tempore as possible.

1           (2) Appoint members to special committees whenever  
2 authorized.

3           (3) Fill all vacancies occurring in standing and special  
4 committees.

5           (4) Refer to the appropriate standing committee, every  
6 bill and joint resolution which may be introduced in the  
7 Senate or received from the House of Representatives.

8           (5) Appoint and have under the President Pro Tempore's  
9 direction such Senate employees as are authorized by law.

10          (6) Vote last on all questions when occupying the Chair.

11          (b) Discretionary.--The President Pro Tempore may name any  
12 Senator to preside in the absence of the President, or if both  
13 the President and President Pro Tempore are absent the Majority  
14 Leader, or the Majority Leader's designee, shall preside. The  
15 Majority Leader, during such time, shall be vested with all  
16 powers of the President. This authority shall not extend beyond  
17 a day's recess.

18 Rule 6. Duties of the Secretary-Parliamentarian.

19          (a) Election.--At the beginning of each regular session  
20 convening in an odd-numbered year and at other times as may be  
21 necessary, the Senate shall elect a Secretary-Parliamentarian of  
22 the Senate.

23          (b) General duties.--The Secretary-Parliamentarian of the  
24 Senate shall:

25               (1) Assist the presiding officer in conducting the  
26 business of the session.

27               (2) Act in the capacity of Parliamentarian.

28          (c) Specific duties.--The Secretary-Parliamentarian of the  
29 Senate shall, subject to the direction of the President Pro  
30 Tempore:

- 1           (1) Direct the following functions:
- 2           (i) Amending bills in the Senate.
- 3           (ii) Preparing and publishing the Senate Calendar.
- 4           (iii) Publication of the Senate History.
- 5           (iv) Numbering Senate bills as they are introduced
- 6           and causing them to be distributed to the chair of the
- 7           committee to which they are referred and receiving a
- 8           receipt for same.
- 9           (v) Printing of bills.

10          (2) Keep a record of the Senate action on a bill on a

11          special record sheet attached to the bill after it has been

12          reported from committee.

13          (3) Keep a record of all leaves granted by the Senate by

14          compiling the leave requests submitted by a member and

15          transmitted to the Secretary-Parliamentarian by the

16          respective floor leaders. These records shall be retained

17          only for the duration of the two-year legislative session.

18          Further, these records shall be available for public

19          inspection upon request.

20          (4) Transmit all bills, joint resolutions, concurrent

21          resolutions and other communications to the House of

22          Representatives within one legislative day of final passage

23          or adoption, and each shall be accompanied by a message

24          stating the title to the measure being transmitted and

25          requesting concurrence of the House, as required.

26          (5) Attest all writs, warrants and subpoenas issued by

27          order of the Senate; certify as to the passage of Senate

28          Bills and the approval of executive nominations.

29          (6) Supervise the Senate Library, assist Senators by

30          making reference material available to them and perform any

1 duties assigned to the Senate Librarian by any statute.

2 (7) Supervise the Chief Sergeant-at-Arms, the Senate  
3 Bill Room, the Senate Print Shop, the Official Reporter's  
4 Office and the Senate Page Service.

5 (8) The Secretary-Parliamentarian of the Senate shall  
6 post each roll call vote taken in the Senate on the Internet  
7 website maintained by the Senate immediately, but in no case  
8 later than 24 hours after the vote. Each roll call vote shall  
9 be posted in a manner which clearly identifies the bill,  
10 resolution or other subject of the vote.

11 (9) The Secretary-Parliamentarian of the Senate shall  
12 post the Legislative Journal of the Senate on the Internet  
13 website maintained by the Senate upon approval of the Journal  
14 or within 60 calendar days of each session day, whichever is  
15 earlier. If the Secretary-Parliamentarian posts the  
16 Legislative Journal on the Internet website prior to Senate  
17 approval, the copy shall be marked "Official Reporter's  
18 Document."

19 Rule 7. Duties of the Chief Clerk.

20 (a) Election.--At the beginning of each regular session  
21 convening in an odd-numbered year and whenever necessary, the  
22 Senate shall elect a Chief Clerk of the Senate.

23 (b) Duties.--The Chief Clerk shall be the chief fiscal  
24 officer of the Senate and shall perform those duties prescribed  
25 in section 2.4 of the act of January 10, 1968 (1967 P.L.925,  
26 No.417), referred to as the Legislative Officers and Employes  
27 Law. In addition, the Chief Clerk, subject to the direction of  
28 the President Pro Tempore, shall perform those powers and duties  
29 prescribed in the Financial Operating Rules of the Senate. In  
30 the absence of the Secretary-Parliamentarian, the Chief Clerk

1 shall, subject to the direction of the President Pro Tempore,  
2 attest all writs, warrants and subpoenas issued by order of the  
3 Senate and shall certify as to the passage of Senate Bills and  
4 the approval of executive nominations.

5 Rule 8. Duties of the Sergeant-at-Arms.

6 The Chief Sergeant-at-Arms shall:

7 (1) Be constantly in attendance during the sessions of  
8 the Senate except when absent in discharging other duties.

9 (2) Have charge of and direct the work of the Assistant  
10 Sergeants-at-Arms.

11 (3) Serve all subpoenas and warrants issued by the  
12 Senate or any duly authorized officer or committee.

13 (4) Maintain order, at the direction of the presiding  
14 officer, in the Senate Chamber and adjoining rooms.

15 (5) See that no person, except those authorized to do  
16 so, disturbs or interferes with the desk or its contents of  
17 any Senator or officer.

18 (6) Exclude from the floor all persons not entitled to  
19 the privilege of the same.

20 (7) Have charge of all entrances to the Chamber during  
21 the sessions of the Senate and shall see that the doors are  
22 properly attended.

23 (8) Announce, upon recognition by the presiding officer,  
24 all important communications and committees.

25 (9) Escort the Senate to all Joint meetings with the  
26 mace.

27 (10) Escort the Senate to attend funeral services of  
28 members, former members of the Senate or other dignitaries  
29 with the mace.

30 Rule 9. Order of Business.

1 (a) General rule.--The Order of Business to be observed in  
2 taking up business shall be as follows:

- 3 First Call to Order.
- 4 Second Prayer by the Chaplain and  
5 Pledge of Allegiance.
- 6 Third Reading of Communications.
- 7 Fourth Receiving reports of committees.
- 8 Fifth Asking of leaves of absence. No  
9 Senator shall absent himself  
10 without leave of the Senate,  
11 first obtained, unless prevented  
12 from attendance by sickness, or  
13 other sufficient cause.
- 14 Sixth Approval of Journals of  
15 preceding session days.
- 16 Seventh Offering of original  
17 resolutions.
- 18 Eighth Introduction of Guests.
- 19 Ninth Consideration of the Calendar.  
20 Any bill or resolution on the  
21 Calendar not finally acted upon  
22 within ten legislative days  
23 shall be removed from the  
24 Calendar and laid on the table,  
25 unless the Senate shall  
26 otherwise direct.
- 27 Tenth Consideration of Executive  
28 Nominations.
- 29 Eleventh Unfinished Business. Reports of  
30 Committees. Unanimous consent

1 resolutions. Congratulatory and  
2 condolence resolutions.  
3 Twelfth First consideration of bills  
4 reported from committee, which,  
5 at this time, shall not be  
6 subject to amendment, debate or  
7 a vote thereon.  
8 Thirteenth Announcements by the Secretary-  
9 Parliamentarian.  
10 Fourteenth Introduction of Petitions and  
11 Remonstrances.  
12 Fifteenth Recess.

13 (b) Special order of business.--Any subject may, by a vote  
14 of a majority of the Members present, be made a special order;  
15 and when the time so fixed for its consideration arrives, the  
16 presiding officer shall lay it before the Senate.

17 Rule 10. Order and decorum.

18 (a) Recognition.--Any Senator who desires to speak or  
19 deliver any matter to the Senate shall rise and respectfully  
20 address the presiding officer as "Mr. President" or "Madam  
21 President," and on being recognized, may address the Senate at a  
22 microphone located on the floor of the chamber.

23 (b) Avoiding personal references.--Any Senator addressing  
24 the Senate shall confine remarks to the question under debate,  
25 avoiding personal references or questions as to motive.

26 (c) Speaking out of order.--If any Senator transgresses the  
27 Rules of the Senate, in speaking or otherwise, the presiding  
28 officer may, or any Senator may through the presiding officer,  
29 call that Senator to order.

30 (d) Speaking more than twice.--No Senator shall speak more

1 than twice on one question without leave of the Senate.

2 (e) Decorum.--When a Senator is speaking, no other person  
3 shall pass between the Senator and the presiding officer.

4 (f) Order and privilege.--No Senator speaking shall be  
5 interrupted except by a call to order, a question of privilege,  
6 or a call for the previous question, without the consent of the  
7 Senator speaking, and no Senator shall speak on a question after  
8 it is put to a vote.

9 (g) Questions of order.--The presiding officer shall decide  
10 all questions of order, subject to appeal by any member. No  
11 debate shall be allowed on questions of order, unless there is  
12 an appeal. A second point of order on the same general subject,  
13 but not the same point, is not in order while an appeal is  
14 pending, but when the first appeal is decided, laid on the table  
15 or otherwise disposed of, the second point of order is in order  
16 and is subject to appeal. While an appeal is pending, no other  
17 business is in order. It is within the discretion of the  
18 presiding officer as to whether to vacate the chair on an  
19 appeal.

20 (h) Question when interrupted.--A question regularly before  
21 the Senate can be interrupted only by a call for the previous  
22 question, for amendment, postponement, to lay on the table,  
23 commitment, recess or adjournment sine die.

24 (i) Use of tobacco products.--No tobacco products, including  
25 cigarettes, cigars, pipes and chewing tobacco shall be used in  
26 the Senate Chamber or in Senate Committee Rooms.

27 (j) Cell phones.--In the Senate Chamber, cell phones and  
28 similar portable communication devices shall be set to silent  
29 mode.

30 Rule 11. Motions.

1 (a) Putting a motion.--When a motion is made, it shall,  
2 before debate, be stated by the presiding officer. Every motion  
3 made to the Senate and entertained by the presiding officer  
4 shall be entered in the Journal with the name of the Senator  
5 making it. A motion may be withdrawn by the Senator making it  
6 before amendment, postponement, an order to lay on the table, or  
7 decision.

8 (b) Precedence of motions.--Motions shall take precedence in  
9 the following order:

- 10 (1) Adjourn sine die.
- 11 (2) Recess.
- 12 (3) Previous question.
- 13 (4) Recess temporarily within the same session day.
- 14 (5) Questions of privilege of the Senate.
- 15 (6) Orders of the day.
- 16 (7) Lay on the table.
- 17 (8) Limit, close or extend limit on debate.
- 18 (9) Postpone.
- 19 (10) Commit or recommit.
- 20 (11) Amend.
- 21 (12) Main motion.

22 (c) Non-debatable motions.--Non-debatable motions are:

- 23 (1) Adjourn sine die.
- 24 (2) Recess.
- 25 (3) Recess temporarily within the same session day.
- 26 (4) Previous question.
- 27 (5) Lay on table.
- 28 (6) Orders of the day.
- 29 (7) Limit, close or extend limit on debate.

30 (d) Motions which permit limited debate.--

1           (1) On the motion to postpone, the question of  
2           postponement is open to debate, but the main question is not.

3           (2) The motion to commit or recommit to committee is  
4           debatable as to the propriety of the reference, but the main  
5           question is not open to debate.

6           (3) The motion to amend is debatable on the amendments  
7           only and does not open the main question to debate.

8           (e) Seconding motions.--All motions except for the previous  
9           question, which shall be seconded by not less than four  
10          Senators, may be made without a second.

11          (f) Recessing and convening.--

12           (1) A motion to recess shall always be in order, except  
13           when on the call for the previous question, the main question  
14           shall have been ordered to be now put, or when a Member has  
15           the floor and shall be decided without debate.

16           (2) A motion to recess, adopted and not having a  
17           reconvening time, the Senate will meet the following day at  
18           10:00 a.m.

19           (3) The Senate shall not convene earlier than 8:00 a.m.  
20           unless the Senate adopts a motion that sets forth the need to  
21           convene earlier than 8:00 a.m.

22           (4) The Senate shall not recess later than 11:00 p.m.  
23           each session day unless the Senate adopts a motion that sets  
24           forth the need to recess later than 11:00 p.m.

25          (g) Motion for previous question.--Pending the consideration  
26          of any question before the Senate, a Senator may call for the  
27          previous question, and if seconded by four Senators, the  
28          President shall submit the question: "Shall the main question  
29          now be put?" If a majority vote is in favor of it, the main  
30          question shall be ordered, the effect of which shall cut off all

1 further amendments and debate, and bring the Senate to a direct  
2 vote first upon the pending amendments and motions, if there be  
3 any, then upon the main proposition. The previous question may  
4 be ordered on any pending amendment or motion before the Senate.

5 (h) Motion to lay on table.--The motion to lay on the table  
6 is not debatable and the effect of the adoption of this motion  
7 is to place on the table the pending question and everything  
8 adhering to it. Questions laid on the table remain there for the  
9 entire session unless taken up before the session closes.

10 (i) Motion to take from table.--A motion to take from the  
11 table, a bill or other subject, is in order under the same order  
12 of business in which the matter was tabled. It shall be decided  
13 without debate or amendment.

14 (j) Reconsideration.--

15 (1) When a question has once been made and carried in  
16 the affirmative or negative, it shall be in order to move the  
17 reconsideration thereof. When the Senate has been equally  
18 divided on a question, or a bill shall have failed to pass,  
19 by reason of not having received the number of votes required  
20 by the Constitution, it shall be in order to move the  
21 reconsideration thereof.

22 (2) Provided, however, that no motion for the  
23 reconsideration of any vote shall be in order after a bill,  
24 resolution, report, amendment or motion upon which the vote  
25 was taken shall have gone out of the possession of the  
26 Senate.

27 (3) Provided, further, that no motion for  
28 reconsideration shall be in order unless made on the same day  
29 on which the vote was taken, or within the next five days of  
30 voting session of the Senate thereafter.

1 (4) A motion to reconsider the same question a third  
2 time is not in order.

3 (5) When a bill, resolution, report, amendment, order,  
4 or communication, upon which a vote has been taken, shall  
5 have gone out of the possession of the Senate and been sent  
6 to the House of Representatives or to the Governor, the  
7 motion to reconsider shall not be in order until a resolution  
8 has been passed to request the House or Governor to return  
9 the same and the same shall have been returned to the  
10 possession of the Senate.

11 Rule 12. Bills.

12 (a) Passage of bills.--

13 (1) No law shall be passed except by bill, and no bill  
14 shall be so altered or amended, on its passage through either  
15 House, as to change its original purpose. (Const. Art. 3,  
16 Sec. 1)

17 (2) No alteration or amendment shall be considered which  
18 is not appropriate and closely allied to the original purpose  
19 of the bill. If a bill has been amended after being reported  
20 by the Appropriations Committee and if the amendment may  
21 require the expenditure of Commonwealth funds or funds of a  
22 political subdivision or cause a loss of revenue to the  
23 Commonwealth or a political subdivision, the Appropriations  
24 Committee shall make a fiscal note reflecting the impact of  
25 the amendment available to the Senators.

26 (b) Reference and printing.--No bill shall be considered  
27 unless referred to a committee, printed for the use of the  
28 members and returned therefrom. (Const. Art. 3, Sec. 2)

29 (c) Form of bills.--No bill shall be passed containing more  
30 than one subject, which shall be clearly expressed in its title,

1 except a general appropriation bill or a bill codifying or  
2 compiling the law or a part thereof. (Const. Art. 3, Sec. 3)

3 (d) Consideration of bills.--Every bill shall be considered  
4 on three different days in each House. All amendments made  
5 thereto shall be available under Rule 13(a)(2) for the use of  
6 the members before the final vote is taken on the bill. Upon  
7 written request addressed to the presiding officer of the Senate  
8 by at least twenty-five per cent of the Members elected to the  
9 Senate, any bill shall be read at length in that House. No bill  
10 shall become a law, unless on its final passage the vote is  
11 taken by yeas and nays, the names of the persons voting for and  
12 against it are entered on the Journal, and a majority of the  
13 Members elected to each House is recorded thereon as voting in  
14 its favor. (Const. Art. 3, Sec. 4)

15 (e) Local and special bills.--No local or special bill shall  
16 be passed unless notice of the intention to apply therefor shall  
17 have been published in the locality where the matter or the  
18 thing to be effected may be situated, which notice shall be at  
19 least thirty days prior to the introduction into the General  
20 Assembly of such bill and in the manner to be provided by law;  
21 the evidence of such notice having been published, shall be  
22 exhibited in the General Assembly, before such act shall be  
23 passed. (Const. Art. 3, Sec. 7)

24 (f) Revenue bills.--All bills for raising revenue shall  
25 originate in the House of Representatives, but the Senate may  
26 propose amendments as in other bills. (Const. Art. 3, Sec. 10)

27 (g) Appropriation bills.--

28 (1) The general appropriation bill shall embrace nothing  
29 but appropriations for the executive, legislative and  
30 judicial departments of the Commonwealth, for the public debt

1 and for public schools. All other appropriations shall be  
2 made by separate bills, each embracing but one subject.

3 (Const. Art. 3, Sec. 11)

4 (2) No appropriation shall be made for charitable,  
5 educational or benevolent purposes to any person or community  
6 nor to any denomination and sectarian institution,  
7 corporation or association: Provided, That appropriations may  
8 be made for pensions or gratuities for military service and  
9 to blind persons twenty-one years of age and upwards and for  
10 assistance to mothers having dependent children and to aged  
11 persons without adequate means of support and in the form of  
12 scholarship grants or loans for higher educational purposes  
13 to residents of the Commonwealth enrolled in institutions of  
14 higher learning except that no scholarship, grants or loans  
15 for higher educational purposes shall be given to persons  
16 enrolled in a theological seminary or school of theology.

17 (Const. Art. 3, Sec. 29)

18 (h) Charitable and educational appropriations.--No  
19 appropriation shall be made to any charitable or educational  
20 institution not under the absolute control of the Commonwealth,  
21 other than normal schools established by law for the  
22 professional training of teachers for the public schools of the  
23 State, except by a vote of two-thirds of all the members elected  
24 to each House. (Const. Art. 3, Sec. 30)

25 (i) Land transfer legislation.--

26 (1) No bills granting or conveying Commonwealth land or  
27 taking title thereto shall be reported by any committee of  
28 the Senate unless there has been filed with the Secretary-  
29 Parliamentarian and the Chair of the Reporting Committee, a  
30 memorandum from the Department of General Services indicating

1 the use to which the property is presently employed, the full  
2 consideration for the transfer, if any, a departmental  
3 appraisal of the property, including its valuation and a list  
4 of recorded liens and encumbrances, if any, the use to which  
5 the property will be employed upon its transfer, the date by  
6 which the land is needed for its new use, and the senatorial  
7 district or districts in which the land is located. The  
8 memorandum shall be filed within 60 days after a request is  
9 made for same and contain a statement by a responsible person  
10 in the Department of General Services indicating whether or  
11 not the departments involved favor the transfer which is the  
12 subject of the bill under consideration.

13 (2) No amendment granting or conveying Commonwealth land  
14 or taking title thereto shall be considered by the Senate  
15 unless there has been filed with the Secretary-  
16 Parliamentarian and the Chair of the committee reporting the  
17 bill, a memorandum from the Department of General Services  
18 indicating the use to which the property is presently  
19 employed, the full consideration for the transfer, if any, a  
20 departmental appraisal of the property, including its  
21 valuation and a list of recorded liens and encumbrances, if  
22 any, the use to which the property will be employed upon its  
23 transfer, the date by which the land is needed for its new  
24 use, the senatorial district or districts in which the land  
25 is located and a statement by a responsible person in the  
26 Department of General Services indicating whether or not the  
27 departments involved favor the transfer which is the subject  
28 of the amendment under consideration. The sponsor of the  
29 amendment may request the memorandum from the Department of  
30 General Services.

1 (j) Consideration - second regular session.--All bills,  
2 joint resolutions, resolutions, concurrent resolutions, or other  
3 matters pending before the Senate upon the recess of a first  
4 regular session convening in an odd-numbered year shall maintain  
5 their status and be pending before a second regular session  
6 convening in an even-numbered year but not beyond adjournment  
7 sine die or November 30th of such year, whichever first occurs.

8 (k) Introduction.--All bills shall be introduced in  
9 quadruplicate. A sponsor may be added after a bill has been  
10 printed but the addition of sponsors shall not require that the  
11 bill be reprinted. All bills shall be examined by the  
12 Legislative Reference Bureau for correctness as to form and  
13 shall be imprinted with the stamp of the Bureau before being  
14 filed with the Secretary-Parliamentarian for introduction.

15 (l) Character of bills to be introduced.--No Member shall  
16 introduce, nor shall any committee report any bill for the  
17 action of the Senate, proposing to legislate upon any of the  
18 subjects prohibited by Article III, section 32 of the  
19 Constitution.

20 (m) Printing of amended bills.--

21 (1) All bills reported or re-reported from committee, if  
22 amended by the committee, and all bills on the Calendar, if  
23 amended by the Senate, shall be reprinted and a new printer's  
24 number assigned thereto before any action is taken thereon.

25 (2) No bill or joint resolution re-reported from  
26 committee as amended shall be voted on final passage until at  
27 least six hours have elapsed from the time of the committee  
28 report.

29 (n) First consideration.--Bills on first consideration shall  
30 not be subject to amendment, debate or a vote thereon.

1 (o) Second consideration.--Bills on second consideration may  
2 be subject to amendment, debate and a vote thereon.

3 (p) Third consideration and final passage.--

4 (1) The following apply:

5 (i) Bills on third consideration may be amended and  
6 are subject to debate. Bills on final passage may not be  
7 amended but are open to debate. The vote on final passage  
8 shall be taken by a roll call. The names of the Senators  
9 voting for and against shall be recorded, entered in the  
10 Journal and posted on the Internet website maintained by  
11 the Senate. No bill shall be declared passed unless a  
12 majority of all Senators elected to the Senate shall be  
13 recorded as voting for the same.

14 (ii) No bill which may require an expenditure of  
15 Commonwealth funds or funds of any political subdivision  
16 or cause a loss of revenue to the Commonwealth or any  
17 political subdivision shall be given third consideration  
18 on the Calendar until it has been referred to the  
19 Appropriations Committee and a fiscal note attached  
20 thereto.

21 (iii) In obtaining the information required by these  
22 Rules, the Appropriations Committee may utilize the  
23 services of the Budget Office and any other State agency  
24 as may be necessary.

25 (iv) No bills appropriating money for charitable or  
26 benevolent purposes shall be considered finally until  
27 after the general appropriation bill shall have been  
28 reported from committee.

29 (2) The following apply:

30 (i) It shall not be in order, by suspension of this

1 Rule or otherwise, to consider a bill on final passage  
2 unless it is printed, together with amendments, if any,  
3 and made available to the Senators.

4 (ii) No bill or joint resolution amended on third  
5 consideration shall be voted on final passage until at  
6 least six hours have elapsed from the time of adoption of  
7 the amendment.

8 (q) Pre-filing of bills, joint resolutions and  
9 resolutions.--Any Senator or Senator-elect may file bills, joint  
10 resolutions and resolutions with the Secretary-Parliamentarian  
11 of the Senate commencing on December 15 of each even-numbered  
12 year. The Secretary-Parliamentarian of the Senate shall number  
13 the bills, joint resolutions and resolutions and shall have them  
14 available for distribution. Upon the naming of the committees of  
15 the Senate at the convening of a First Regular Session, the  
16 President Pro Tempore shall refer all prefiled measures to the  
17 proper committee within 14 calendar days.

18 (r) Normal filing of bills, joint resolutions and  
19 resolutions.--Senators may introduce bills, joint resolutions  
20 and resolutions by filing the same with the Secretary-  
21 Parliamentarian of the Senate. The Secretary-Parliamentarian of  
22 the Senate shall number the bills, joint resolutions and  
23 resolutions and shall notify the President Pro Tempore of the  
24 fact of such filing.

25 (s) Referral to committee by President Pro Tempore.--Every  
26 bill, joint resolution and resolution introduced by a Senator or  
27 received from the House of Representatives shall be referred by  
28 the President Pro Tempore to the appropriate committee within 14  
29 calendar days. Upon referral, the Secretary-Parliamentarian of  
30 the Senate shall deliver the bills, joint resolutions and

1 resolutions to the committees to which they have been referred.  
2 The Secretary-Parliamentarian of the Senate shall have the  
3 bills, joint resolutions and resolutions available for  
4 distribution.

5 Rule 13. Amendments.

6 (a) When in order.--

7 (1) Amendments shall be in order when a bill is reported  
8 or re-reported from committee, on second consideration and on  
9 third consideration. No amendments shall be received by the  
10 presiding officer or considered by the Senate which destroys  
11 the general sense of the original bill, or is not appropriate  
12 and closely allied to the original purpose of the bill. Any  
13 Member, upon request, must be furnished a copy of a proposed  
14 amendment and be given a reasonable opportunity to consider  
15 same before being required to vote thereon.

16 (2) Amendments offered on the floor shall be read by the  
17 clerk and stated by the presiding officer to the Senate  
18 before being acted upon. Amendments shall be presented with  
19 at least four typewritten copies obtained through the  
20 Legislative Reference Bureau, which shall have the Sponsor  
21 identified. No amendment may be considered by the Senate  
22 until the Secretary-Parliamentarian of the Senate has posted  
23 the amendment on the Internet website maintained by the  
24 Senate.

25 (3) Amendments to bills or other main motions or  
26 questions before the Senate may be tabled. When an amendment  
27 proposed to any bill or other main motion or question before  
28 the Senate is laid on the table, it shall not carry with it  
29 or prejudice the bill, main motion or question. A motion to  
30 take an amendment from the table shall only be in order if

1 the bill or other main motion or question remains before the  
2 Senate for decision. The motion to take an amendment from the  
3 table is not debatable and shall have the same precedence as  
4 the motion to amend.

5 (b) Amendments reconsidering-revert to prior print.--

6 Amendments adopted or defeated may not be again considered  
7 without reconsidering the vote by which said amendments were  
8 adopted or defeated, unless a majority vote of the Senators  
9 present shall decide to revert to a prior printer's number. If  
10 such a motion is made to a bill on third consideration and  
11 carried it shall not be in order to vote on the final passage of  
12 said bill until a copy of the reverted printer's number is made  
13 available to the Senators.

14 (c) Concurrence in House amendments.--

15 (1) The following apply:

16 (i) No amendments to bills by the House shall be  
17 concurred in by the Senate, except by the vote of a  
18 majority of the Members elected to the Senate, taken by  
19 yeas and nays. (Const. Art. 3, Sec. 5)

20 (ii) If a bill on concurrence contains an amendment  
21 which may require the expenditure of Commonwealth funds  
22 or funds of a political subdivision or cause a loss of  
23 revenue to the Commonwealth or a political subdivision,  
24 the bill may not be voted finally until a fiscal note  
25 reflecting the impact of the amendment is made available  
26 to the Senators.

27 (2) The following apply:

28 (i) Any bill or resolution containing House  
29 amendments which is returned to the Senate shall be  
30 referred to the Committee on Rules and Executive

1 Nominations immediately upon the reading of the  
2 communication by the clerk. The consideration of any bill  
3 or resolution containing House amendments may include the  
4 amendment of House amendments only by the Committee on  
5 Rules and Executive Nominations. The vote on concurring  
6 in amendments by the House to bills or resolutions  
7 amended by the House shall not be taken until said bills  
8 or resolutions have been favorably reported, as committed  
9 or as amended, by the Committee on Rules and Executive  
10 Nominations and have been placed on the desks of the  
11 Senators and particularly referred to on their calendars.

12 (ii) Unless the Majority Leader and the Minority  
13 Leader shall agree otherwise, the offering of an  
14 amendment to House amendments in the Committee on Rules  
15 and Executive Nominations shall not be in order until at  
16 least one hour after the filing of a copy of the  
17 amendment as prepared by the Legislative Reference Bureau  
18 with the office of the Secretary-Parliamentarian. Upon  
19 the filing of such an amendment, the Secretary-  
20 Parliamentarian shall immediately time stamp the  
21 amendment and forward a time-stamped copy of the  
22 amendment to the offices of the Majority Leader and the  
23 Minority Leader. Except as provided in this subsection,  
24 it shall not be in order to suspend or otherwise waive  
25 the requirements of this subsection.

26 Rule 14. Committees.

27 (a) Standing committees.--

28 (1) There shall be the following permanent Standing  
29 Committees, the Chair, the Vice-Chair and members thereof to  
30 be appointed by the President Pro Tempore as soon as possible

1 after the election of the President Pro Tempore in sessions  
2 convening in odd-numbered years or such other times as may be  
3 necessary. The composition of each Standing Committee shall  
4 reasonably reflect the caucus composition of the Senate  
5 membership.

6 Aging and Youth -- 10 members

7 Agriculture and Rural Affairs -- 10 members

8 Appropriations -- 23 members

9 Banking and Insurance -- 13 members

10 Communications and Technology -- 10 members

11 Community, Economic and Recreational Development --

12 13 members

13 Consumer Protection and Professional Licensure -- 13

14 members

15 Education -- 10 members

16 Environmental Resources and Energy -- 10 members

17 Finance -- 10 members

18 Game and Fisheries -- 10 members

19 Intergovernmental Operations -- 10 members

20 Judiciary -- 13 members

21 Labor and Industry -- 10 members

22 Law and Justice -- 10 members

23 Local Government -- 10 members

24 Public Health and Welfare -- 10 members

25 Rules and Executive Nominations -- 16 members

26 State Government -- 10 members

27 Transportation -- 13 members

28 Urban Affairs and Housing -- 10 members

29 Veterans' Affairs and Emergency Preparedness -- 10

30 members

1                   Subcommittees

2           (2) Each standing committee or the chair thereof may  
3 appoint, from time to time, a subcommittee to study or  
4 investigate a matter falling within the jurisdiction of the  
5 standing committee or to consider a bill or resolution  
6 referred to it. A Subcommittee may hold public hearings only  
7 with the prior permission of its standing committee.

8           Subcommittees shall be regulated by the Senate Rules of  
9 Procedure and shall be in existence for only that time  
10 necessary to complete their assignments and report to their  
11 standing committees.

12           (b) Members-ex-officio.--

13           (1) The President Pro Tempore shall be an ex-officio  
14 voting Member of all standing committees and any  
15 subcommittees that may be established and shall not be  
16 included in the number of committee members herein provided.  
17 However, the President Pro Tempore shall not be an ex-officio  
18 Member of the Committee on Ethics and Official Conduct.

19           (2) The Majority Leader and the Minority Leader shall  
20 each be an ex-officio member of the Committee on  
21 Appropriations and shall not be included in the number of  
22 members of the committee provided herein.

23           (3) The Majority Leader shall serve as Chair of the  
24 Committee on Rules and Executive Nominations and the Minority  
25 Leader shall serve as the Minority Chair.

26           (c) Committees' function between sessions.--Standing  
27 committees shall exist and function both during and between  
28 sessions. Such power shall not extend beyond November 30th of  
29 any even-numbered year.

30           (d) Powers and responsibilities.--Standing committees are

1 authorized:

2 (1) To maintain a continuous review of the work of the  
3 Commonwealth agencies concerned with their subject areas and  
4 the performance of the functions of government within each  
5 such subject area, and for this purpose to request reports  
6 from time to time, in such form as the standing committee  
7 shall designate, concerning the operation of any Commonwealth  
8 agency and presenting any proposal or recommendation such  
9 agency may have with regard to existing laws or proposed  
10 legislation in its subject area. The standing committee is  
11 authorized to require public officials and employees and  
12 private individuals to appear before the standing committee  
13 for the purpose of submitting information to it.

14 (2) In order to carry out its duties, each standing  
15 committee is empowered with the right and authority to  
16 inspect and investigate the books, records, papers,  
17 documents, data, operation, and physical plant of any public  
18 agency in this Commonwealth.

19 (3) In order to carry out its duties, each standing  
20 committee may issue subpoenas, subpoenas duces tecum and  
21 other necessary process to compel the attendance of witnesses  
22 and the production of any books, letters or other documentary  
23 evidence desired by the committee. The chair may administer  
24 oaths and affirmations in the manner prescribed by law to  
25 witnesses who shall appear before the committee to testify.

26 (e) Notice of meetings.--

27 (1) The following apply:

28 (i) The chair of a committee, or, in the absence of  
29 the chair, the vice-chair, with the approval of the  
30 chair, shall provide each member of the committee with

1 written notice of committee meetings, which shall include  
2 the date, time and location of the meeting and the number  
3 of each bill, resolution or other matter which may be  
4 considered. During session, notice of meetings of  
5 standing committees shall be published daily. Notice  
6 shall be delivered by the chair to the Secretary-  
7 Parliamentarian's office in writing by the end of the  
8 session on the day preceding its intended publication.

9 (ii) Whenever the chair of any standing committee  
10 shall refuse to call a regular meeting, then a majority  
11 plus one of the members of the standing committee may  
12 vote to call a meeting by giving two days' written notice  
13 to the Secretary-Parliamentarian of the Senate, setting  
14 the time and place for such meeting. Such notice shall be  
15 read in the Senate and the same posted by the Secretary-  
16 Parliamentarian in the Senate. Thereafter, the meeting  
17 shall be held at the time and place specified in the  
18 notice. In addition, any such meeting shall comply with  
19 all provisions of 65 Pa.C.S. Ch. 7 (relating to open  
20 meetings) relative to notice of meetings.

21 (iii) When the majority plus one of the members of a  
22 standing committee believe that a certain bill or  
23 resolution in the possession of the standing committee  
24 should be considered and acted upon by such committee,  
25 they may request the chair to include the same as part of  
26 the business of a committee meeting. Should the chair  
27 refuse such request, the membership may require that such  
28 bill be considered by written motion made and approved by  
29 a majority plus one vote of the entire membership to  
30 which the committee is entitled.

1           (2) A committee meeting, or hearing for which notice has  
2 not been published as provided in section 6(e)(1), may be  
3 held during a session only if approval is granted by the  
4 Majority and Minority Leaders and if notice of the bills to  
5 be considered is given during session.

6           (f) Bills recommitted.--Any bill or resolution reported by  
7 any standing committee without prior notice having been given as  
8 required by these Rules shall be recommitted to the committee  
9 reporting the same.

10          (g) Public meetings or hearings.--

11           (1) The following apply:

12           (i) The chair of a standing committee may hold  
13 hearings open to the public and in doing so shall make a  
14 public announcement in writing prior to the date of the  
15 hearing of the date and time, the location and the  
16 subject matter of the hearing.

17           (ii) The chair of a standing committee shall have  
18 the power to designate whether or not a meeting of the  
19 committee for the purpose of transacting committee  
20 business shall be open to the public or shall be held in  
21 executive session and therefore closed to the public, but  
22 no matters may be considered in executive session for  
23 which an open meeting is required under 65 Pa.C.S. Ch. 7  
24 (relating to open meetings).

25           (2) All standing committees may have their hearings  
26 reported and transcribed if payment for such service is being  
27 made from committee funds. If payment is expected to be made  
28 from a source other than committee funds, approval must be  
29 first obtained from the President Pro Tempore.

30           (h) Quorum of committee.--A committee is actually assembled

1 only when a quorum constituting a majority of the members of  
2 that committee is present in person. A majority of the quorum of  
3 the whole committee shall be required to report any bill,  
4 resolution or other matter to the floor for action by the whole  
5 Senate.

6 (i) Quorum of subcommittee.--A subcommittee is actually  
7 assembled only when a quorum constituting a majority of the  
8 members of that subcommittee is present in person. A majority of  
9 the quorum of the whole subcommittee shall be required to report  
10 any bill, resolution or other matter to the committee.

11 (j) Discharging committees.--

12 (1) No standing committee shall be discharged from  
13 consideration of any bill, resolution or other matter within  
14 ten legislative days of its reference to committee without  
15 the unanimous consent of the Senate or after such ten-day  
16 period except by majority vote of all members elected to the  
17 Senate.

18 (2) Such discharge shall be by resolution which shall  
19 lie over one day for consideration upon introduction and  
20 which may be considered under the Order of Business of  
21 Resolutions on the Calendar.

22 Rule 15. Committee officers.

23 (a) Chair-ex-officio.--The Chair of each standing committee  
24 shall be ex-officio a member of each subcommittee that may be  
25 established as part of the standing committee, with the right to  
26 attend meetings of the subcommittee and vote on any matter  
27 before the subcommittee.

28 (b) Calling committee to order.--The Chair, or, if  
29 authorized by the Chair, the Vice-Chair shall call the committee  
30 to order at the hour provided by these Rules. Upon the

1 appearance of a quorum, the committee shall proceed with the  
2 order of business. Any member of the committee may question the  
3 existence of a quorum.

4 (c) Chair control of the committee room.--The Chair, or, if  
5 authorized by the Chair, the Vice-Chair shall preserve order and  
6 decorum and shall have general control of the committee room. In  
7 case of a disturbance or disorderly conduct in the committee  
8 room, the Chair, or, if authorized by the Chair, the Vice-Chair  
9 may cause the same to be cleared. The use of cell phones and  
10 similar portable communication devices within any Senate  
11 committee room by other than members of the Senate or their  
12 staffs is strictly prohibited.

13 (d) Chair's authority to sign documents and decide questions  
14 of order.--The Chair shall sign all notices, vouchers, subpoenas  
15 or reports required or permitted by these Rules. The Chair shall  
16 decide all questions of order relative to parliamentary  
17 procedure, subject to an appeal by any member of the committee.

18 (e) Vote of Chair, Vice-Chair.--The Chair and Vice-Chair  
19 shall vote on all matters before such committee provided that  
20 the name of the Chair shall be called last.

21 (f) Performance of duties by Vice-Chair.--Upon the death of  
22 the Chair, the Vice-Chair shall perform the duties of the office  
23 until and unless the President Pro Tempore shall appoint a  
24 successor. Upon and during disability, or incapacity of the  
25 Chair, the Vice-Chair shall perform the Chair's duties.

26 (g) Chair's duty to report.--The Chair shall report any bill  
27 to the floor of the Senate not later than the second legislative  
28 day after the committee's vote to report it.

29 Rule 16. Committee members.

30 Members, attendance and voting shall be as follows:

1           (1) Every member of a committee shall be in attendance  
2 during each of its meetings, unless excused or necessarily  
3 prevented, and shall vote on each question, except that no  
4 member of a committee shall be required or permitted to vote  
5 on any questions immediately concerning that member's direct  
6 personal, private or pecuniary interest.

7           (2) The Chair may excuse any Senator for just cause from  
8 attendance during the meetings of the committee for any  
9 stated period.

10          (3) Any member of a committee who is otherwise engaged  
11 in legislative duties may have the member's vote recorded on  
12 bills, resolutions or other matters pending before the  
13 committee by communicating in writing to the Chair the  
14 inability to attend and the manner in which the member  
15 desires to be voted on bills, resolutions or other matters  
16 pending before the committee.

17 Rule 17. Committee voting.

18 Taking the vote shall be as follows:

19          (1) The Chair shall announce the results of all votes to  
20 report a bill or resolution or a vote regarding an executive  
21 nomination. All votes shall be open to the public and shall  
22 be posted on the Internet website maintained by the Senate  
23 within 24 hours.

24          (2) In all cases where the committee vote shall be  
25 equally divided, the question falls.

26 Rule 18. Motions in committees.

27 All motions made in committee shall be governed and take the  
28 same precedence as those set forth in these Rules.

29 Rule 19. Conference Committees.

30          (a) Composition.--The President Pro Tempore shall appoint

1 three Senators to comprise a Committee of Conference. Two shall  
2 be from the majority party and one from the minority party.

3 (b) Deliberations.--The deliberations of the committee shall  
4 be confined to the subject of difference between the two Houses,  
5 unless both Houses shall direct a free conference.

6 (c) Report of Conference Committee.--

7 (1) The report of a Committee of Conference shall be  
8 prepared in triplicate by the Legislative Reference Bureau  
9 and shall be signed by the members or a majority of the  
10 members of each committee comprising the Committee of  
11 Conference. Every report of a Committee of Conference shall  
12 be printed together with the bill as amended by the  
13 committee, made available to the Senators and shall be  
14 particularly referred to on their calendars before action  
15 shall be taken on such report. No report of a Committee of  
16 Conference may be adopted by the Senate until at least six  
17 hours have elapsed from the time of adoption of the report by  
18 the Committee of Conference.

19 (2) A report of a Committee of Conference which requires  
20 the expenditure of Commonwealth funds or funds of a political  
21 subdivision or causes a loss of revenue to the Commonwealth  
22 or a political subdivision shall have a fiscal note attached  
23 before the report is finally adopted by the Senate.

24 (d) Adoption of Conference Committee report.--Reports of  
25 committees of conference shall be adopted only by the vote of a  
26 majority of the members elected to the Senate, taken by yeas and  
27 nays. (Const. Art. 3, Sec. 5)

28 Rule 20. Voting.

29 (a) Senators must be present.--Every Senator shall be  
30 present within the Senate Chamber during the sessions of the

1 Senate, and shall be recorded as voting on each question stated  
2 from the Chair which requires a roll call vote unless the  
3 Senator is on leave, is duly excused or is unavoidably prevented  
4 from attending session. The refusal of any Senator to vote as  
5 provided by this Rule shall be deemed a contempt of the Senate.

6 (b) Voting required.--Except as may be otherwise provided by  
7 this Rule, no Senator shall be permitted to vote on any question  
8 unless the Senator is present in the Senate Chamber at the time  
9 the roll is being called, or prior to the announcement of the  
10 vote, unless the following applies:

11 (1) Capitol leave.--A Senator who is performing a  
12 legislative duty in the Harrisburg area, which is defined in  
13 the Financial Operating Rules of the Senate as within Dauphin  
14 County or otherwise within a 10-mile radius of the Capitol,  
15 may, upon request during session, be granted a Capitol Leave  
16 by the Senate and may be voted by the Senator's respective  
17 floor leader. A specific reason for the Capitol Leave must be  
18 given in writing by the Senator. The Capital Leave request  
19 shall be communicated to the Senator's respective floor whip  
20 for transmission to the respective floor leader prior to the  
21 beginning of a roll call vote. All written Capitol Leave  
22 requests shall be transmitted by the respective floor leaders  
23 to the Secretary-Parliamentarian of the Senate for retention  
24 in accordance with Rule 6(c)(3) within 24 hours of the  
25 conclusion of the legislative day in which leave was  
26 requested.

27 (2) Legislative leave.--A Senator who is performing a  
28 legislative duty outside of the Harrisburg area may, upon  
29 request during session, be granted a Legislative Leave by the  
30 Senate and may be voted by the Senator's respective floor

1 leader. A specific reason for the Legislative Leave must be  
2 given in writing by the Senator. The Legislative Leave  
3 request shall be communicated to the Senator's respective  
4 floor whip for transmission to the respective floor leader  
5 prior to the beginning of a roll call vote. All written  
6 Legislative Leave requests shall be transmitted by the  
7 respective floor leaders to the Secretary-Parliamentarian of  
8 the Senate for retention in accordance with Rule 6(c)(3)  
9 within 24 hours of the conclusion of the legislative day in  
10 which leave was requested.

11 (3) Military leave.--A Senator who is on active duty or  
12 in training with a reserve component of the armed forces of  
13 the United States or the Pennsylvania National Guard or Air  
14 National Guard may be granted a military leave. A Senator  
15 requesting military leave shall submit a leave request to the  
16 Senator's respective floor leader who shall transmit the  
17 request to the Secretary-Parliamentarian of the Senate on  
18 behalf of the Senator requesting leave within 24 hours of the  
19 conclusion of the legislative day in which leave was  
20 requested.

21 (4) Personal leave.--A Senator who is absent for any  
22 purpose other than those set forth in these Rules may be  
23 granted a personal leave. A Senator on personal leave shall  
24 not be voted on any question before the Senate or on any  
25 question before any committee of the Senate. A Senator  
26 requesting personal leave shall submit a leave request to the  
27 Senator's respective floor leader who shall transmit the  
28 request to the Secretary-Parliamentarian of the Senate on  
29 behalf of the Senator requesting leave within 24 hours of the  
30 conclusion of the legislative day in which leave was

1 requested.

2 (c) Excused from voting.--

3 (1) A Senator desiring to be excused from voting due to  
4 a direct, personal, private or pecuniary interest in any  
5 question or bill proposed or pending before the Senate, shall  
6 seek a ruling from the presiding officer.

7 (2) Senators who seek a ruling on whether they have a  
8 direct, personal, private or pecuniary interest in any  
9 question or bill proposed or pending before the Senate shall,  
10 after the Senator is recognized by the presiding officer,  
11 make a brief statement of the reasons for making the request  
12 and ask the presiding officer to decide whether or not the  
13 Senator must vote. The question shall be decided by the  
14 presiding officer without debate.

15 (d) Changing vote.--No Senator may vote or change a vote  
16 after the result is announced by the Chair. Before the  
17 announcement of the final result, however, a Senator may change  
18 a vote, or may vote, if previously absent from the Chamber.  
19 Should a Senator be erroneously recorded on any vote, the  
20 Senator may at any time, with the permission of the Senate, make  
21 a statement to that effect which shall be entered in the  
22 Journal. Similarly, should the Senator be absent when a vote is  
23 taken on any question, the Senator may later, with the  
24 permission of the Senate, make a statement for entry upon the  
25 Journal, indicating how the Senator would have voted had the  
26 Senator been present when the roll was taken and the reasons  
27 therefor shall be submitted in writing or delivered orally not  
28 to exceed five minutes.

29 (e) Persons allowed at desk during roll call.--No Senator or  
30 other person, except the Majority or Minority Leader or other

1 persons designated by them, shall be permitted at the Reading  
2 Clerk's desk during the recording, counting or verification of a  
3 roll call vote.

4 (f) Two-thirds vote.--When bills or other matters which  
5 require a two-thirds vote are under consideration, the  
6 concurrence of two-thirds of all the Senators elected shall not  
7 be requisite to decide any question or amendment short of the  
8 final question and on any question short of the final one, a  
9 majority of Senators voting shall be sufficient to pass the  
10 same.

11 (g) Majority vote defined.--A majority of the Senators  
12 elected shall mean a majority of the Senators elected, living,  
13 sworn and seated.

14 (h) Majority vote.--When bills or other matters which  
15 require a vote of the majority of Senators elected are under  
16 consideration, the concurrence of a majority of all the Senators  
17 elected shall not be requisite to decide any question or  
18 amendment short of the final question; and, on any question  
19 short of a final one, a majority of Senators voting shall be  
20 sufficient to pass the same.

21 (i) Announcement of vote.--Upon completion of a roll call  
22 vote or a voice vote the result shall be announced immediately  
23 unless the Majority or Minority Leader requests a delay.

24 (j) Explanation of vote.--Any Senator may, with the consent  
25 of the Senate, make an explanation of a vote on any question and  
26 have the explanation printed in the Journal.

27 (k) Tie vote.--In the case of a tie vote, the President of  
28 the Senate may cast a vote to break the tie so long as by doing  
29 so it does not violate any provisions of the Constitution of  
30 Pennsylvania. In the event there is a tie vote on a question

1 requiring a constitutional majority, the question falls.

2 (l) Verifying vote.--Any Senator may demand a verification  
3 of a vote immediately upon the completion of a roll call or  
4 after the announcement of the vote by the presiding officer. In  
5 verifying a vote, the Clerk shall first read the affirmative  
6 roll at which time any additions or corrections shall be made.  
7 Upon the completion and verification of the affirmative roll  
8 call, the Clerk shall proceed with the reading of the negative  
9 roll at which time any additions or corrections shall be made.  
10 Upon the completion and verification of the negative roll call,  
11 the roll call shall be declared verified. It shall not be in  
12 order for a Senator to change a vote after the verified roll  
13 call is announced. A demand for a verification shall not be in  
14 order when all Senators vote one way. The demand for a  
15 verification of a vote is not debatable.

16 (m) Voice vote.--Unless otherwise ordered or demanded, a  
17 voice vote may be taken. Any Senator who doubts the accuracy of  
18 a voice vote may demand a roll call vote. Such request must be  
19 made immediately upon the announcement of the vote by the  
20 presiding officer and shall not be in order after other business  
21 has intervened. The demand for a verification of a voice vote  
22 shall not be in order.

23 Rule 21. Correspondents.

24 (a) Admission to Senate Press Gallery.--Admission to the  
25 Senate Press Gallery shall be limited to members in good  
26 standing of the Pennsylvania Legislative Correspondents'  
27 Association and to other members of the press as determined by  
28 the President Pro Tempore. Seating shall be available on a  
29 first-come-first-served basis.

30 (b) Photographs in Senate Chamber.--

1 (1) Photographers may be authorized by the President Pro  
2 Tempore to take still photographs in the Senate.

3 (2) No still photographs shall be taken in the Senate  
4 during sessions without prior notice to the Senators. When  
5 possible, such notice shall be given at the beginning of the  
6 session during which the still photographs are scheduled to  
7 be taken.

8 (c) Order and decorum of press.--

9 (1) Persons seated in the Senate Press Gallery shall be  
10 dressed appropriately and shall, at all times, refrain from  
11 loud talking or causing any disturbance which tends to  
12 interrupt the proceedings of the Senate.

13 (2) Persons seated in the Senate Press Gallery shall not  
14 walk onto the floor of the Senate nor approach the rostrum or  
15 the clerk's desk during session or while being at ease.

16 Rule 22. Radio and television.

17 (a) Filming, videotaping, televising and broadcasting.--  
18 Filming, videotaping, televising or broadcasting of Senate  
19 sessions shall be permitted as provided in these Rules.

20 (b) Broadcasting session.--Nothing in this Rule shall be  
21 construed to prohibit any licensed radio station or television  
22 station from broadcasting a session from the Senate or any part  
23 thereof provided that the signal originates from the Senate-  
24 operated audio-visual system which transmits Senate session  
25 activity to the offices in the Main Capitol and environs.

26 Rule 23. Video feed and audio feed.

27 (a) Responsibilities of the Chief Clerk.--

28 (1) The Chief Clerk of the Senate, in consultation with  
29 the Secretary-Parliamentarian of the Senate, shall provide a  
30 video feed and an audio feed of Senate floor activity.

1           (2) The Chief Clerk of the Senate shall be responsible  
2 for the acquisition, installation and maintenance of  
3 equipment required to provide the video feed and the audio  
4 feed, and for the continued development and operation of the  
5 feeds, including the hiring of the necessary personnel.

6           (3) All equipment required to produce the video feed and  
7 audio feed shall be operated by Senate personnel. Nothing in  
8 any contract entered into by the Office of the Chief Clerk  
9 regarding installation or maintenance of equipment shall  
10 permit any control over the video cameras and microphones in  
11 the Senate Chamber to be exercised by anyone but the  
12 appropriate Senate officers and employees.

13         (b) Sessions provided free of charge.--

14           (1) Continuous broadcast of Senate sessions shall be  
15 provided free of charge to any licensed television station,  
16 radio station or cable television outlet and shall further be  
17 available through the Senate's website.

18           (2) The Senate Committee on Management Operations may  
19 authorize providing the video feed and audio feed free of  
20 charge to other entities.

21         (c) Funding.--Funding for the implementation and operation  
22 of the broadcasting system shall be provided through Senate  
23 appropriations as designated by the President Pro Tempore.

24         (d) Scope of video and audio feeds.--

25           (1) The video feed and audio feed shall provide a  
26 complete, unedited record of what is said on the floor of the  
27 Senate and shall be free from commentary.

28           (2) To the extent possible, only the presiding officer  
29 and the persons actually speaking shall be covered by the  
30 video cameras and microphones.

1           (3) During roll call votes and other votes, the video  
2 cameras shall be focused on the presiding officer or the  
3 appropriate clerks until the announcement of the vote  
4 tabulation by the presiding officer.

5           (4) During recesses of the Senate or when the Senate is  
6 at ease, the video feed and audio feed shall be turned off.

7           (e) Restrictions on video and audio feeds.--

8           (1) The video feed and audio feed, and any television or  
9 radio coverage thereof, shall not be made available or used  
10 for political or campaign purposes, whether in paid political  
11 advertisements or otherwise. Use of the video feed and audio  
12 feed shall be subject to all Federal and State laws relating  
13 to elections and campaign practices.

14           (2) The video feed and audio feed, and any television or  
15 radio coverage thereof, shall not be used in any commercial  
16 advertisement.

17           (3) Any live coverage of the Senate shall be without and  
18 presented without any commercial sponsorship, except when it  
19 is part of a bona fide news program or public affairs  
20 program.

21           (4) The President Pro Tempore or any other presiding  
22 officer shall be prohibited from ordering, without consent of  
23 the Senate, that any segment of a floor session not be  
24 broadcast or recorded.

25           (5) Except as provided in this paragraph, the President  
26 Pro Tempore, any other presiding officer and any Senator,  
27 officer or employee of the Senate shall be prohibited from  
28 editing any portion of the video feed and audio feed  
29 described in this Rule. A Senator may post a video clip or  
30 audio clip of Senate session on an Internet website or

1 provide a video clip or audio clip of Senate session for any  
2 television broadcast as long as the clip exclusively features  
3 the Senator who is posting or providing the clip.

4 (f) Other recording prohibited.--

5 (1) Except as provided in this Rule, any recording,  
6 filming, videotaping, broadcasting or distribution of any  
7 session of the Senate, or any part thereof, in any form  
8 whatsoever is prohibited.

9 (2) Nothing in this Rule shall be construed to prohibit  
10 any licensed radio station from broadcasting a session from  
11 the Senate or any part thereof provided that the signal  
12 originates from the Senate-operated sound system which  
13 transmits Senate session activity to the offices in the Main  
14 Capitol and environs.

15 (g) Violations.--Any violation of this Rule shall be dealt  
16 with as directed by the Committee on Rules and Executive  
17 Nominations.

18 (h) Official record.--The video feed and audio feed provided  
19 by the Senate shall not constitute an official record of Senate  
20 actions. The official record of Senate actions shall be  
21 contained in the Journals prepared by the Secretary-  
22 Parliamentarian of the Senate and approved by the Senate.  
23 Rule 24. Who privileged to the floor of the Senate.

24 (a) Admission during session.--With the exception of the  
25 Senate Gallery and the Senate Press Gallery, no person shall be  
26 admitted within the Senate Chamber during Senate sessions,  
27 unless invited by the President Pro Tempore or the Majority or  
28 Minority Leaders. During session, authorized staff with access  
29 to the Senate Chamber shall be limited and shall be restricted  
30 to the area immediately adjacent to the Majority and Minority

1 Leaders' desks. Advice to Senators during debate shall be  
2 allowed only when the Senator is using the microphones at the  
3 leaders' desks.

4 (b) Rear entrance closed during session.--No person or  
5 persons shall, during a session, be permitted to enter through  
6 the front or rear door of the Senate Chamber nor be present in  
7 the rooms immediately to the rear of the Senate Chamber except  
8 for Senators, officers and employees expressly authorized.

9 (c) Telephone facilities.--No person or persons other than  
10 Senators or their staff shall, at any time, be permitted to use  
11 the telephone facilities in or adjacent to the Senate Chamber.

12 Rule 25. Rules.

13 (a) Force and effect.--These Rules shall be in full force  
14 and effect until altered, changed, amended or repealed as  
15 provided in subsection (d).

16 (b) Dispensing with Rules.--The consent of a majority of the  
17 Senators elected shall be necessary to suspend any Rule.

18 (c) Voting for altering, changing or amending rules.--The  
19 consent of a majority of the Senators elected shall be necessary  
20 to alter, change or amend these Rules.

21 (d) Alteration, change or amendment of rules by  
22 resolution.--All alterations, changes or amendments to Senate  
23 Rules shall be by resolution which shall not be considered  
24 unless first referred to and reported from the Rules Committee.

25 Rule 26. Mason's Manual of Legislative Procedure to govern  
26 Senate.

27 The Rules of Parliamentary Practice comprised in Mason's  
28 Manual of Legislative Procedure shall govern the Senate in all  
29 cases to which they are applicable, and in which they are not  
30 inconsistent with the Standing Rules, Prior Decisions and Orders

1 of the Senate.

2 Rule 27. Quorum.

3 (a) Majority constitutes a quorum.--A majority of Senators  
4 elected shall constitute a quorum, but a smaller number may  
5 adjourn from day to day, and compel the attendance of absent  
6 members. (Const. Art. 2, Sec. 10)

7 (b) When less than a quorum is present.--When, upon a call,  
8 which may be demanded by not less than four Senators, it is  
9 found that less than a quorum is present, it shall be the duty  
10 of the presiding officer to order the doors of the Senate to be  
11 closed, and to direct the clerk to call the roll of the Senate  
12 and note the absentees after which the names of the absentees  
13 shall be again called. A Senator whose absence is not excused,  
14 or an insufficient excuse is made, may by order of a majority of  
15 the Senators present be sent for and taken into custody by the  
16 Sergeant-at-Arms, or assistant sergeants-at-arms appointed for  
17 the purpose. Any unexcused Senator shall be brought before the  
18 bar of the Senate, where the Senator, unless excused by a  
19 majority of the Senators present, shall be publicly reprimanded  
20 by the presiding officer for neglect of duty.

21 (c) When less than a quorum vote but present.--When less  
22 than a quorum vote upon any subject under the consideration of  
23 the Senate, not less than four Senators may demand a call of the  
24 Senate, when it shall be the duty of the presiding officer to  
25 order the doors of the Senate to be closed and the roll of the  
26 Senators to be called. If it is ascertained that a quorum is  
27 present, either by answering to their names, or by their  
28 presence in the Senate, the presiding officer shall again order  
29 the yeas and nays; and, if any Senator present refuses to vote,  
30 the name or names of such Senator shall be entered on the

1 Journal as "Present but not voting." Such refusal to vote shall  
2 be deemed a contempt; and, unless purged, the presiding officer  
3 shall direct the Sergeant-at-Arms to bring the Senator before  
4 the bar of the Senate, where the Senator shall be publicly  
5 reprimanded by the presiding officer.

6 Rule 28. Executive nominations.

7 (a) Presentation and reference.--

8 (1) All nominations by the Governor or the Attorney  
9 General shall be submitted to the Secretary-Parliamentarian  
10 of the Senate. All nominees shall file the financial  
11 statements required pursuant to 65 Pa.C.S. Ch. 11 (relating  
12 to ethics standards and financial disclosure) with the  
13 Secretary-Parliamentarian of the Senate. Copies of the  
14 nominations and financial statements shall be furnished by  
15 the Secretary-Parliamentarian of the Senate to the Majority  
16 and Minority Caucus Secretaries or their designees.

17 (2) Nominations shall, after being read, without a  
18 motion, be referred by the presiding officer to the Committee  
19 on Rules and Executive Nominations. After having been  
20 reported by the committee, the final question on every  
21 nomination shall be: "Will the Senate advise and consent to  
22 this nomination?"

23 (3) The Chair of the Committee on Rules and Executive  
24 Nominations shall designate an appropriate standing committee  
25 of the Senate to conduct a public hearing for nominees that  
26 have Statewide jurisdiction and to which salaries are  
27 attached. The Committee on Rules and Executive Nominations  
28 shall refer those nominees to the designated committee for  
29 the purpose of holding a public hearing to scrutinize the  
30 qualifications of nominees and to report back its

1 recommendations. Public hearings may be held for nominees for  
2 any other office.

3 (b) Information concerning nominations.--All information,  
4 communication or remarks made by a Senator when acting upon  
5 nominations in committee, concerning the character or  
6 qualifications of the person nominated, may be kept  
7 confidential. If, however, charges shall be made against a  
8 person nominated, the committee may, in its discretion, notify  
9 the nominee, but the name of the person making such charges  
10 shall not be disclosed.

11 (c) Consideration.--When the consideration of executive  
12 nominations is reached in the order of business, a Senator may  
13 make a motion to go into executive session for the purpose of  
14 confirming the nominations which have been reported from  
15 committee; and on the motion being agreed to, the nomination or  
16 nominations shall be considered until finally disposed of,  
17 unless the same shall be postponed by a majority of the Senate.

18 (d) Executive session.--When in executive session, no  
19 communication shall be received from the Governor, unless it be  
20 relative to the nomination under consideration, nor from the  
21 House of Representatives, nor shall any other business.

22 (e) Reconsideration.--When a nomination is confirmed or  
23 rejected by the Senate, any Senator may move for a  
24 reconsideration on the same day on which the vote was taken, or  
25 on either of the next two days of voting session of the Senate;  
26 but if a notification of the confirmation or rejection of a  
27 nomination shall have been sent to the Governor before the  
28 expiration of the time within which a motion to reconsider may  
29 be made, the motion to reconsider shall be accompanied by a  
30 motion to request the Governor to return such notification to

1 the Senate. A motion to reconsider the vote on a nomination may  
2 be laid on the table without prejudice to the nomination.

3 Rule 29. Resolutions.

4 (a) Introduction.--All resolutions, Senate and concurrent,  
5 shall be introduced by presenting four copies of the Resolution,  
6 with the sponsor identified, to the presiding officer.

7 (b) Consideration.--The following resolutions, after being  
8 read, shall be referred to an appropriate committee without  
9 debate unless by unanimous consent the Senate shall otherwise  
10 direct and, if favorably reported by the committee, shall lie  
11 over one day for consideration, after which they may be called  
12 up as, of course, under their appropriate order of business:

13 (1) All Senate and House concurrent resolutions,  
14 excepting resolutions in reference to adjournment sine die,  
15 recesses and those recalling bills from the Governor, which  
16 shall be regarded as privileged.

17 (2) Resolutions containing calls for information from  
18 the heads of departments, or to alter the Rules.

19 (3) Resolutions giving rise to debate, except those that  
20 relate to the disposition of matters immediately before the  
21 Senate, those that relate to the business of the day on which  
22 they were offered, and those that relate to adjournment sine  
23 die or a recess.

24 (c) Printing in Senate History.--

25 (1) Congratulatory and condolence resolutions shall be  
26 given to the Secretary-Parliamentarian and shall be  
27 considered under the order of unfinished business in the  
28 daily order of business.

29 (2) All resolutions shall be adopted by a majority vote  
30 of the Senators present except as specifically provided for

1 in these Rules.

2 (d) Joint Resolutions.--

3 (1) Joint Resolutions shall be limited to constitutional  
4 amendments and shall be adopted by a vote of a majority of  
5 the Senators elected to the Senate.

6 (2) A Joint Resolution when passed by both Houses shall  
7 not be transmitted to the Governor for approval or  
8 disapproval but shall be filed in the Office of the Secretary  
9 of the Commonwealth in accordance with Article XI, Section 1  
10 of the Constitution of Pennsylvania.

11 Rule 30. General access to the Senate Floor prohibited.

12 The Secretary-Parliamentarian of the Senate shall cause the  
13 doors to the Senate Floor to be closed to all persons except  
14 those who are entitled to access under the Rules of the Senate.  
15 On days when the Senate is not in session, access to the Senate  
16 Floor by any person not connected with the Senate is prohibited.  
17 Other than the Senator, no person shall be permitted to occupy  
18 the seat of a Senator at any time.

19 Rule 31. Veto.

20 (a) Passing over veto.--When any bill is not approved by the  
21 Governor, he shall return it with his objection to the House in  
22 which such bill originated. Thereupon such House shall enter the  
23 objections upon their Journal and proceed to reconsider it. If  
24 after such reconsideration, two-thirds of all the Members  
25 elected to that House shall agree to pass the bill, it shall be  
26 sent with the objections to the other House by which likewise it  
27 shall be reconsidered, and, if approved by two-thirds of all the  
28 members elected to that House, it shall become a law. (Const.  
29 Art. 4, Sec. 15)

30 (b) Consideration during second regular session.--A bill

1 vetoed in a first regular session and not finally acted upon may  
2 be brought up for consideration in a second regular session.

3 Rule 32. Division of a question.

4 Any Senator may call for a division of a question by the  
5 Senate if the question includes points so distinct and separate  
6 that, one of them being taken away, the other will stand as a  
7 complete proposition. The motion to strike out and insert is  
8 indivisible.

9 Rule 33. Coordination with other Senate Rules.

10 Any use of Senate resources or time shall be governed by the  
11 Financial Operating Rules and the Ethical Conduct Rules of the  
12 Senate.

13 Rule 34. Committee on Ethics.

14 (a) Composition.--In addition to the committees created by  
15 Rule 14, there shall be a Senate Committee on Ethics which shall  
16 be composed of six members appointed by the President Pro  
17 Tempore. Three members shall be of the Majority Party and three  
18 members shall be of the Minority Party. The Minority Party  
19 members will be appointed on the recommendation of the Minority  
20 Leader.

21 (b) Organization.--The Senate Committee on Ethics shall be  
22 organized as follows:

23 (1) The President Pro Tempore shall appoint one of the  
24 Majority Party members as Chair and, on the recommendation of  
25 the Minority Leader, one of the Minority Party members as  
26 Vice-Chair. A quorum for this committee shall be four members  
27 and the committee shall have such duties, powers, procedure  
28 and jurisdiction as are prescribed and authorized in this  
29 Rule.

30 (2) The chair shall notify all members of the committee

1 at least 24 hours in advance of the date, time and place of a  
2 meeting. Whenever the chair shall refuse to call a meeting, a  
3 majority of the committee may call a meeting by giving two  
4 days' written notice to the Majority Leader and the Minority  
5 Leader of the Senate setting forth the time and place for  
6 such meeting. A meeting commenced in this manner shall be  
7 held at the time and place specified in the notice.

8 (3) Except as provided in subsection (j), all meetings  
9 of the committee shall be open to the public and notice of  
10 such meetings shall be given as generally provided in these  
11 rules for the convening of committees.

12 (4) The committee may adopt rules of procedure for the  
13 orderly conduct of its affairs, investigations, hearings and  
14 meetings, which rules are not inconsistent with this Rule.

15 (c) Receipt of complaint.--The committee shall receive  
16 complaints against any Senator alleging unethical conduct in  
17 violation of a Senate Rule, statute or constitutional provision  
18 governing the ethical conduct of a Senator. Any complaint filed  
19 with the committee shall:

20 (1) be submitted in writing;

21 (2) be sworn or affirmed by the person filing the  
22 complaint; and

23 (3) detail the alleged unethical conduct in question and  
24 specify the Rule, statute or constitutional provision  
25 allegedly violated.

26 (d) Review of complaint.--Upon receipt of a complaint that  
27 conforms with all the requirements of this Rule, the Senate  
28 Committee on Ethics shall review the complaint and determine  
29 whether or not a preliminary investigation is warranted within  
30 30 days of receiving the complaint. For good cause, a majority

1 of the members of the committee may vote to grant an additional  
2 30 days to complete the committee's review. A frivolous or de  
3 minimis complaint may be dismissed by a majority of the members  
4 of the committee, with prejudice. The chair shall notify the  
5 complainant and the subject Senator of the disposition of a  
6 dismissed complaint.

7 (e) Disposition of complaints.--If it is determined by a  
8 majority of the members of the Senate Committee on Ethics that  
9 an ethical conduct violation may have occurred, the Senator  
10 against whom the complaint has been brought shall be notified in  
11 writing and given a copy of the complaint. Within 15 days after  
12 receipt of the complaint, the Senator may file a written answer  
13 to the complaint with the committee. If no answer is filed, the  
14 complaint shall be deemed denied by the subject Senator. The  
15 lack of an answer shall not be deemed to be an admission or  
16 create an inference or presumption that the complaint is true.  
17 The lack of an answer shall not prohibit a majority of the  
18 members of the committee from either proceeding with a formal  
19 investigation or dismissing the complaint.

20 (f) Preliminary investigation.--The committee shall have 30  
21 days from the date that receipt of the answer to the complaint  
22 is to be provided to complete its preliminary investigation. For  
23 good cause, a majority of the members of the committee may vote  
24 to grant an additional 30 days to complete the committee's  
25 review. The committee may employ an independent counsel to  
26 conduct a preliminary investigation. Upon conclusion of the  
27 preliminary investigation, by vote of a majority of the members  
28 of the committee, the committee shall determine whether to  
29 proceed with a formal investigation, which may include hearings.  
30 In the event that the committee vote is equally divided, the

1 question falls. If the committee does not decide to proceed to a  
2 formal investigation, the Chair shall notify the complainant and  
3 the subject Senator of the disposition of the complaint and  
4 shall summarize the committee's rationale for its conclusion.

5 (g) Confidentiality.--Prior to the commencement of a formal  
6 investigation, the fact that a preliminary investigation is  
7 being conducted or is to be conducted shall be confidential  
8 information. If, however, the filing of a complaint or a  
9 preliminary investigation is made public by the complainant, the  
10 committee may publicly confirm the receipt of a complaint.

11 (h) Indictment.--When an indictment is returned against a  
12 member of the Senate, and the gravamen of the indictment is  
13 directly related to the ethical conduct of a Senator in  
14 violation of a Senate Rule, statute or constitutional provision  
15 governing the ethical conduct of a Senator, the Senate Ethics  
16 Committee shall not initiate any new investigation, and shall  
17 suspend any ongoing investigation, initiated pursuant to this  
18 Rule until the subject matter of the indictment that relates to  
19 the Senator's alleged unethical conduct is resolved.

20 (i) Alternative procedure.--In addition to action on formal  
21 complaints as provided in subsection (c), a majority of the  
22 members of the Senate Committee on Ethics may initiate a  
23 preliminary investigation of suspected unethical conduct in  
24 violation of a Senate Rule, statute or constitutional provision  
25 governing the ethical conduct of a Senator. If it is determined  
26 by a majority of the members of the committee that a violation  
27 may have occurred, the Senator in question shall be notified in  
28 writing of the alleged unethical conduct in question and the  
29 Rule, statute or constitutional provision allegedly violated.  
30 Within 15 days of the receipt of this information, the Senator

1 may file a written answer with the committee. The lack of an  
2 answer shall not be deemed to be an admission or create an  
3 inference or presumption that the complaint is true. The lack of  
4 an answer shall not prohibit a majority of the members of the  
5 committee from either proceeding with a formal investigation or  
6 dismissing the complaint. The committee shall have 30 days from  
7 the date that receipt of the answer to the complaint is to be  
8 provided to complete its preliminary investigation. For good  
9 cause, a majority of the members of the committee may vote to  
10 grant an additional 30 days to complete the committee's review.  
11 Upon conclusion of the preliminary investigation, by vote of a  
12 majority of the members of the committee, the committee shall  
13 determine whether to proceed with a formal investigation, which  
14 may include hearings. In the event that the committee vote is  
15 equally divided, the question falls.

16 (j) Closed session.--The committee shall conduct its  
17 preliminary investigations, hearings and meetings related to a  
18 specific investigation or a specific Senator in closed session  
19 unless the Senator subject to investigation advises the  
20 committee in writing that he or she wants such meetings or  
21 hearings to be held publicly. In the event that the Senator in  
22 question makes such a request, the committee shall furnish the  
23 Senator with a public meeting or hearing.

24 (k) Formal investigation.--In the event that the Senate  
25 Committee on Ethics shall elect to proceed with a formal  
26 investigation of alleged unethical conduct by a Senator, the  
27 committee may employ an independent counsel to conduct a formal  
28 investigation. The committee and any independent counsel  
29 employed by the committee shall comply with the following  
30 procedural requirements at all stages of the investigation:

1           (1) The Chair of the Senate Committee on Ethics may  
2 continue any hearing for reasonable cause. Upon the vote of a  
3 majority of the members of the committee, or upon the request  
4 of the Senator subject to investigation, the Chair shall  
5 issue subpoenas for the attendance and testimony of witnesses  
6 and the production of documentary evidence relating to any  
7 matter under formal investigation by the committee. The Chair  
8 of the committee may administer oaths or affirmations,  
9 examine and receive evidence, or rule on any objections  
10 raised during the course of a hearing.

11           (2) All testimony, documents, records, data, statements  
12 or information received by the committee in the course of any  
13 preliminary or formal investigation shall be private and  
14 confidential except in the case of public meetings or  
15 hearings or in a report to the Senate.

16           (3) All constitutional rights of any Senator under  
17 investigation shall be preserved, and the Senator shall be  
18 entitled to present evidence, cross-examine witnesses, face  
19 the accuser and be represented by counsel.

20           (4) An oath or affirmation shall be executed in writing  
21 before any member of the committee, any independent counsel  
22 employed by the committee to conduct a preliminary or formal  
23 investigation, or any employee of the Senate related to the  
24 investigation may have access to information that is  
25 confidential under the rules of the committee as follows:

26           "I do solemnly swear or affirm that I will not disclose,  
27 to any person or entity outside of the Senate Ethics  
28 Committee, any information received in the course of my  
29 service with the committee, except as authorized by the  
30 committee or in accordance with the Rules of the Senate."

1 Copies of the executed oath or affirmation shall be provided  
2 to the Secretary-Parliamentarian of the Senate as part of the  
3 records of the Senate. Any Senator or other person who  
4 violates the confidentiality requirements of this subsection  
5 shall be removed immediately from the committee and replaced  
6 by another Senator, counsel or employee of the Senate  
7 appointed in like manner as the person's original appointment  
8 or selection.

9 (l) Report.--No report regarding unethical conduct by a  
10 Senator shall be made to the Senate unless a majority of the  
11 members of the Senate Ethics Committee determine that a finding  
12 of unethical conduct in violation of a Senate Rule, statute or  
13 constitutional provision governing the ethical conduct of a  
14 Senator has occurred. No finding of unethical conduct by a  
15 Senator in violation of a Senate Rule, statute or constitutional  
16 provision governing the ethical conduct of a Senator adopted by  
17 the Senate Committee on Ethics shall be valid unless signed by  
18 at least a majority of the members of the committee. Any such  
19 report may include a minority report. A report adopted by the  
20 committee that contains findings of unethical conduct by a  
21 Senator in violation of a Senate Rule, statute or constitutional  
22 provision governing the ethical conduct of a Senator shall not  
23 be filed with the Secretary-Parliamentarian of the Senate or  
24 released to the public until at least seven days after a copy of  
25 the report is sent by certified mail to the Senator under  
26 investigation.

27 (m) Distribution of report.--After the expiration of the  
28 seven-day notice requirement contained in subsection (l), the  
29 Senate Ethics Committee shall file its report with the  
30 Secretary-Parliamentarian of the Senate, who shall cause a copy

1 of the report of the committee to be distributed to the members  
2 of the Senate. The report of the Senate Ethics Committee shall  
3 be placed on the Senate Calendar and shall be acted on by the  
4 Senate within ten legislative days of the adoption of a  
5 temporary rule setting forth rules of procedure for the orderly  
6 disposition of the report by the full Senate. A vote by a  
7 majority of the members elected to the Senate shall be necessary  
8 to adopt each finding set forth in the Ethics Committee Report.

9 (n) Sanction.--Should the full Senate vote to adopt an  
10 unethical conduct finding against a Senator as set forth in the  
11 Ethics Committee Report, that Senator may be subject to sanction  
12 by the full Senate. A sanction may include any of the following  
13 depending on the circumstances of the violation:

- 14 (1) a warning;
- 15 (2) a written reprimand;
- 16 (3) restitution for damages; or
- 17 (4) any other sanction provided for under the Rules of  
18 the Senate of Pennsylvania or the Constitution of  
19 Pennsylvania.

20 (o) Advisory opinion.--The Senate Committee on Ethics, at  
21 the request of a Senator or officer who has an ethical question  
22 or concern regarding the Senate Rules individually or in  
23 conjunction with others, may issue an advisory opinion seeking  
24 to clarify the ethical requirements of the Senate Rules. These  
25 advisory opinions, with such deletions and changes as shall be  
26 necessary to protect the identity of the persons involved or  
27 seeking them, may be published and shall be distributed to all  
28 members, officers and employees of the Senate. No action  
29 regarding unethical conduct may be taken against a Senator,  
30 officer or employee, who has relied on a written advisory

1 opinion, whether directly addressed to that person or not, which  
2 is reasonably construed as being applicable to the conduct in  
3 question.

4 (p) Committee member under investigation.--In the event that  
5 a member of the Senate Ethics Committee shall be under  
6 investigation, that Senator shall be temporarily replaced on the  
7 committee in a like manner as the Senator's original  
8 appointment.

9 (q) Costs and expenses.--Whenever the committee shall employ  
10 independent counsel to conduct a preliminary or formal  
11 investigation or shall incur other expenses pursuant to its  
12 duties under this rule, payment of costs of such independent  
13 counsel or other expenses incurred by the committee pursuant to  
14 this Rule shall be paid by the Chief Clerk upon submission of  
15 vouchers and necessary documentation. The vouchers shall be  
16 signed by both the chair and vice-chair of the committee.  
17 Included in such allowable expense items shall be travel and per  
18 diem for the members of the committee. The Chief Clerk shall pay  
19 such expenses out of funds appropriated to the Chief Clerk for  
20 incidental expenses.

21 Rule 35. Status of members indicted or convicted of a crime.

22 (a) Status generally.--When an indictment is returned  
23 against a member of the Senate, and the gravamen of the  
24 indictment is directly related to the Senator's conduct as a  
25 committee chair, ranking minority committee member or in a  
26 position of leadership, the Senator shall be relieved of such  
27 committee chairmanship, ranking minority committee member  
28 status, or leadership position until the indictment is disposed  
29 of, but the member shall otherwise continue to function as a  
30 Senator, including voting, and shall continue to be paid.

1 (b) Restoration.--If, during the same legislative session,  
2 the indictment is quashed, or the court finds that the Senator  
3 is not guilty of the offense alleged, the Senator shall  
4 immediately be restored to the committee chairmanship, ranking  
5 minority committee member status, or leadership position  
6 retroactively from which that Senator was suspended.

7 (c) Resolution of expulsion.--Upon a finding or verdict of  
8 guilt by a judge or jury, a plea or admission of guilt or plea  
9 of nolo contendere of a crime by a member of the Senate, the  
10 gravamen of which relates to the member's conduct as a Senator,  
11 and upon imposition of sentence, the Secretary-Parliamentarian  
12 of the Senate shall prepare a resolution of expulsion under  
13 session, which shall appear on the Calendar on the next  
14 legislative session day following an imposition of sentence  
15 based upon a determination of guilt or a plea of nolo  
16 contendere.

17 Rule 36. Status of officers or employees indicted or convicted  
18 of a crime.

19 (a) Suspension.--Whenever any officer or employee of the  
20 Senate is indicted or otherwise charged before a court of record  
21 with the commission of a felony or a misdemeanor, the gravamen  
22 of which relates to the officer's or employee's conduct or  
23 status as an officer or employee of the Commonwealth or the  
24 disposition of public funds, such employee shall immediately be  
25 suspended without pay and benefits by the Chief Clerk. After a  
26 finding or a verdict of guilt by a judge or a jury, plea or  
27 admission of guilt, or plea of nolo contendere, and upon  
28 imposition of sentence, the employment shall be terminated.

29 (b) Termination of suspension.--If the indictment is  
30 quashed, or the court finds that the officer or employee is not

1 guilty of the offense alleged, the suspension without pay shall  
2 be terminated, and the officer or employee shall receive  
3 compensation for the period of time during which the officer or  
4 employee was suspended which compensation shall be reduced by  
5 the amount of any compensation said officer or employee earned  
6 from other employment during the period of suspension.

7 (c) Appeal.--If the officer or employee or the supervising  
8 Senator of such employee disagrees with the decision of the  
9 Chief Clerk as to whether an indictment for particular conduct  
10 shall be a crime requiring suspension or dismissal, the officer  
11 or employee in question or the supervising Senator may appeal  
12 the suspension to the Committee on Ethics, which shall determine  
13 whether the conduct charged is an offense requiring suspension.  
14 Whenever an appeal of a suspension shall be taken to the  
15 committee, the suspension shall remain effective pending a  
16 decision by the committee.

17 Rule 37. Affiliation with nonprofit entities.

18 (a) Requirements.--In order for a Senator or a Senate  
19 employee, including a family member of that Senator or Senate  
20 employee, to be affiliated with a nonprofit entity, that  
21 nonprofit entity must meet all of the following:

22 (1) Have a formally established board of directors with  
23 at least four members that is fully accountable for the  
24 nonprofit entity's overall operation.

25 (2) Have a written set of bylaws or rules, approved by  
26 its board of directors, which establishes its composition and  
27 governance process.

28 (3) Require official action of the board of directors to  
29 be approved and executed in a manner consistent with its  
30 bylaws or rules.

1           (4) Not receive grant funding directly from the  
2 Commonwealth that comprises its sole source of operational  
3 funding.

4           (b) Prohibitions.--A Senator or Senate employee, including a  
5 family member of that Senator or Senate employee, who is  
6 affiliated with a nonprofit entity, may not do any of the  
7 following with regard to a nonprofit entity with which that  
8 Senator or Senate employee, including a family member of that  
9 Senator or Senate employee, is affiliated:

10           (1) Exercise sole and unilateral control of a final  
11 action of the nonprofit entity regarding allocation or  
12 disbursement of grant funding that the nonprofit entity  
13 receives directly from the Commonwealth.

14           (2) Direct a Senate employee to staff or provide  
15 services to the nonprofit entity as a condition of  
16 employment.

17           (3) Direct the personnel or other resources of the  
18 nonprofit entity for the benefit of a Senator's campaign.

19           (4) Commingle funds from a Senate district office  
20 allowance or any other Senate expense account with the funds  
21 of the nonprofit entity with the knowledge and intent that  
22 those funds are to be used for the direct reimbursement of  
23 expenses incurred by that nonprofit entity.

24           (5) Maintain a Senate district office within or  
25 contiguous to the same office as the nonprofit entity.

26           (c) Applicability.--A Senator or a Senate employee,  
27 including a family member of that Senator or Senate employee,  
28 shall not be subject to the requirements of this Rule if the  
29 affiliated nonprofit entity receives no grant funding directly  
30 from the Commonwealth.

1 (d) Training.--To assure compliance with this Rule by  
2 Senators and Senate employees, appropriate training measures  
3 shall be implemented by the Senate. Training shall be provided  
4 annually for all Senators and Senate employees.

5 (e) Definitions.--As used in this Rule, the following words  
6 and phrases shall have the meanings given to them in this  
7 section unless the context clearly indicates otherwise:

8 "Affiliated." Serving:

9 (1) as an officer of a nonprofit entity;

10 (2) on the board of directors of a nonprofit entity;

11 (3) as a paid employee of a nonprofit entity; or

12 (4) as a contractor of a nonprofit entity.

13 "Family member." A spouse or child.

14 "Nonprofit entity." An entity that is qualified by the  
15 Internal Revenue Service as meeting the requirements of section  
16 501(c) of the Internal Revenue Code of 1986 (Public Law 99-514,  
17 26 U.S.C. § 501(c)).