

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 281 Session of
1999

INTRODUCED BY KREBS, HANNA, MASLAND, VITALI, PLATTS, FREEMAN AND
STEELMAN, OCTOBER 19, 1999

REFERRED TO COMMITTEE ON RULES, OCTOBER 19, 1999

A RESOLUTION

1 Amending House Rules 10, 21, 24, 43, 45 and 77.

2 RESOLVED, That House Rules 10, 21, 24, 43, 45 and 77 be
3 amended to read:

4 RULE 10

5 Debate

6 When a member desires to address the House, he shall rise and
7 respectfully address himself to "Mr. Speaker." Upon being
8 recognized, he may speak, confining himself to the question
9 under consideration and avoiding personal reflections. On a vote
10 to concur in amendments made by the Senate, the phrase "question
11 under consideration" shall include the subject matter of the
12 entire bill and shall not be limited to the Senate amendments to
13 the bill.

14 When two or more members rise at the same time and ask for
15 recognition, the Speaker shall designate the member who is
16 entitled to the floor.

17 No member, except the Majority and Minority Leaders, may

1 speak more than twice on any question, without the consent of
2 the House.

3 With the unanimous consent of the House a member may make a
4 statement not exceeding ten minutes in length concerning a
5 subject or matter not pending before the House for
6 consideration, providing the Majority and Minority Leaders have
7 agreed on a time the member is to ask for recognition.

8 RULE 21

9 Consideration of Bills

10 Every bill and every joint resolution shall be considered on
11 three different days. All amendments made thereto shall be
12 printed for the use of the members before the final vote is
13 taken thereon, and before the final vote is taken, upon written
14 request addressed to the presiding officer by at least 25% of
15 the members elected to the House, any bill shall be read at
16 length. No bill shall become law and no joint resolution adopted
17 unless, on its final passage, the vote is taken by yeas and
18 nays, the names of the persons voting for and against it are
19 entered on the Journal, and a majority of the members elected to
20 the House is recorded thereon as voting in its favor.

21 (Constitution, Article III, Section 4).

22 Members shall be notified of bills and resolutions scheduled
23 to be voted no later than prior to the close of business at 4:30
24 P.M. of the second business day prior to the scheduled vote on
25 final passage for legislation that has no legal deadline. No
26 bill or resolution shall be scheduled for vote prior to its
27 being reported from committee to the House. (The General
28 Appropriations Act and non-preferred bills are included within
29 the definition of legislation that has no legal deadline.) [All
30 amendments] An amendment shall be submitted to the Office of the

1 Chief Clerk by 2:00 P.M. of the last legislative day preceding
2 [the scheduled vote] second consideration of the bill to which
3 the amendment applies. No vote on final passage can occur before
4 the date of the scheduled vote.

5 If the amendment cannot be submitted in accordance with the
6 above paragraph because it is still being prepared by the
7 Legislative Reference Bureau, the member must provide the Office
8 of the Chief Clerk with a statement, by the above-noted 2:00
9 P.M. deadline, prepared by the member containing the factual
10 content of said amendment along with certification from the
11 Legislative Reference Bureau that the amendment was submitted to
12 the Legislative Reference Bureau for drafting prior to the
13 above-noted 2:00 P.M. deadline. In addition, a member shall be
14 entitled to receipt of certification for an amendment to an
15 amendment, notwithstanding the fact that the base amendment
16 subject to the subsequent amendment request is still being
17 drafted by the Legislative Reference Bureau.

18 Members shall be notified no later than one hour prior to the
19 consideration of all bills on concurrence, unless the
20 concurrence is the General Appropriations Bill, in which case at
21 least 24 hours' notice shall be provided. Additionally, members
22 shall be notified at least 24 hours prior to the adoption of all
23 conference committee reports. When these reports are considered
24 on the first legislative day of the week, said notice shall be
25 provided no later than the close of business on the last
26 business day preceding the vote. Members may amend bills on
27 concurrence only in those instances where the bills were amended
28 by the Committee on Rules.

29 RULE 24

30 Third Consideration and Final Passage Bills

1 Bills on third consideration and final passage shall be
2 considered in their calendar order.

3 A bill on third consideration may not be amended except for
4 technical amendments to the bill.

5 After a bill is agreed to on third consideration, prior to
6 voting, the title or a brief analysis of the bill shall be read
7 and the Speaker shall then state the question as follows:

8 "This bill has been considered on three different days
9 and agreed to and is now on final passage."

10 "The question is, shall the bill pass finally?"

11 "Agreeable to the provision of the Constitution, the yeas
12 and nays will now be taken."

13 When more than one bill shall be considered at the same time,
14 prior to voting, the title or a brief analysis of the bill shall
15 be read and the Speaker shall then state the question as
16 follows:

17 "These bills have been considered on three different days
18 and agreed to and are now on final passage."

19 "The question is, shall the bills on the uncontested
20 calendar pass finally?"

21 "Agreeable to the provision of the Constitution, the yeas
22 and nays will now be taken."

23 RULE 43

24 Standing Committees and Subcommittees

25 The Committee on Committees shall consist of the Speaker and
26 15 members of the House, ten of whom shall be members of the
27 majority party and five of whom shall be members of the minority
28 party, whose duty shall be to recommend to the House the names
29 of members who are to serve on the standing committees of the
30 House. Except for the Speaker, the Majority and Minority

1 Leaders, Whips, Caucus Chairmen, Caucus Secretaries, Caucus
2 Administrators, Policy Chairmen and the chairmen and minority
3 chairmen of standing committees, each member shall be entitled
4 to serve on not less than two standing committees.

5 The Speaker shall appoint the chairman and vice-chairman of
6 each standing committee when such standing committee has no
7 standing subcommittees as prescribed herein, except the
8 Committee on Appropriations which shall also have a vice-
9 chairman appointed by the Speaker; when the standing committee
10 has standing subcommittees, the Speaker shall appoint a
11 subcommittee chairman for each standing subcommittee. The
12 Speaker shall appoint a secretary for each standing committee.
13 The Minority Leader shall appoint the minority chairman,
14 minority vice-chairman and minority secretary of each standing
15 committee and the minority subcommittee chairman for each
16 standing subcommittee.

17 [Except for members who decline a chairmanship or minority
18 chairmanship in writing or who are barred from serving as a
19 chairman or minority chairman under this rule, the chairmanship
20 and minority chairmanship of each standing committee except the
21 Appropriations Committee shall be limited only to the members of
22 the applicable caucus with the most seniority as members of
23 their respective caucus. Whenever there are more caucus members
24 with equal seniority than available chairmanships or minority
25 chairmanships for that caucus, the selection of a chairman or
26 minority chairman from among such caucus members shall be in the
27 discretion of the appointing authority. The appointing authority
28 may designate the standing committee to which he shall appoint a
29 member as chairman or minority chairman without regard to
30 seniority. The Speaker and the Floor Leader, Whip, Caucus

1 Chairman, Caucus Secretary, Caucus Administrator and Policy
2 Chairman of the majority party and minority party shall not be
3 eligible to serve as chairman or minority chairman of any
4 standing committee and no member may serve as chairman or
5 minority chairman of more than one standing committee.

6 Any chairmanship or minority chairmanship held by a member
7 who fails to meet the requirements of this rule shall become
8 vacant by automatic operation of this rule. If the appointing
9 authority fails to make an appointment of a chairman or minority
10 chairman prior to the organizational meeting of a standing
11 committee or fails to fill a vacancy within seven calendar days
12 after it occurs, such position shall be deemed to remain vacant
13 in violation of this rule. Whenever a chairmanship or minority
14 chairmanship becomes vacant or remains vacant in violation of
15 this rule, the member of the applicable caucus who meets the
16 requirements of this rule shall automatically fill the vacancy
17 and, if there are two or more such eligible caucus members for
18 any such vacancy or vacancies, they shall be filled from among
19 such eligible members through a lottery to be conducted under
20 the supervision of the Chief Clerk after giving notice of the
21 time and place thereof to all eligible members, to the Speaker,
22 to the Majority Leader and to the Minority Leader.

23 Nothing in this rule shall prohibit the appointing authority
24 from transferring a member from the chairmanship or minority
25 chairmanship of a standing committee to the chairmanship or
26 minority chairmanship of another standing committee.

27 Whenever the appointment of a chairman or minority chairman
28 will cause the applicable caucus to exceed its permissible
29 allocation of members on a standing committee, the appointing
30 authority shall make a temporary transfer of an eligible

1 committee member to the standing committee vacated by the member
2 appointed as chairman or minority chairman until a regular
3 committee appointment can be made in accordance with the rules
4 of the House. If the Speaker or Minority Leader fails to make a
5 temporary transfer within seven calendar days after such
6 appointment, the committee member with the least seniority, who
7 is eligible for transfer, shall be automatically transferred to
8 the committee vacated by the newly appointed chairman or
9 minority chairman and, if more than one committee member is
10 eligible for such transfer, the transfer shall be implemented
11 through a lottery conducted under the supervision of the Chief
12 Clerk.]

13 The Speaker of the House, Floor Leader of the majority party
14 and the Floor Leader of the minority party shall be ex-officio
15 members of all standing committees, without the right to vote
16 and they shall be excluded from any limitation as to the number
17 of members on the committees or in counting a quorum.

18 Twenty-two standing committees of the House, each to consist
19 of [26] 27 members except the Committee on Appropriations, which
20 shall consist of [32] 33 members, are hereby created. In
21 addition, there [is] are hereby created 34 standing
22 subcommittees.

23 All standing committees shall consist of 15 members of the
24 majority party and [11] 12 members of the minority party, except
25 the Committee on Appropriations which shall consist of 20
26 members of the majority party and [12] 13 members of the
27 minority party. The quorum for each of the standing committees
28 and subcommittees shall be no less than the majority of said
29 committees. The following are the standing committees and
30 subcommittees thereof:

1 (1) Aging and Youth
2 (a) Subcommittee on Aging
3 (b) Subcommittee on Youth
4 (2) Agriculture and Rural Affairs
5 (3) Appropriations
6 (a) Subcommittee on Health and Human Services
7 (b) Subcommittee on Education
8 (c) Subcommittee on Capital Budget
9 (4) Commerce and Economic Development
10 (a) Subcommittee on Financial Services and Banking
11 (b) Subcommittee on Housing
12 (c) Subcommittee on Economic Development
13 (5) Consumer Affairs
14 (a) Subcommittee on Public Utilities
15 (b) Subcommittee on Telecommunications
16 (6) Education
17 (a) Subcommittee on Basic Education
18 (b) Subcommittee on Higher Education
19 (7) Environmental Resources and Energy
20 (a) Subcommittee on Mining
21 (8) Finance
22 (9) Game and Fisheries
23 (10) Health and Human Services
24 (a) Subcommittee on Health
25 (b) Subcommittee on Human Services
26 (c) Subcommittee on Drugs and Alcohol
27 (11) Insurance
28 (12) Judiciary
29 (a) Subcommittee on Crime and Corrections
30 (b) Subcommittee on Courts

1 (13) Intergovernmental Affairs
2 (14) Labor Relations
3 (15) Liquor Control
4 (a) Subcommittee on Licensing
5 (b) Subcommittee on Marketing
6 (16) Local Government
7 (a) Subcommittee on Boroughs
8 (b) Subcommittee on Counties
9 (c) Subcommittee on Townships
10 (17) Professional Licensure
11 (18) State Government
12 (19) Tourism and Recreational Development
13 (a) Subcommittee on Arts and Entertainment
14 (b) Subcommittee on Recreation
15 (c) Subcommittee on Travel Promotion
16 (20) Transportation
17 (a) Subcommittee on Highways
18 (b) Subcommittee on Public Transportation
19 (c) Subcommittee on Transportation Safety
20 (d) Subcommittee on Aviation
21 (e) Subcommittee on Railroads
22 (21) Urban Affairs
23 (a) Subcommittee on Cities, Counties - First Class
24 (b) Subcommittee on Cities, Counties - Second Class
25 (c) Subcommittee on Cities, Third Class
26 (22) Veterans Affairs and Emergency Preparedness
27 subcommittee.

28 RULE 45
29 Powers and Duties of Standing Committees
30 and Subcommittees

1 The chairman of each standing committee and subcommittee
2 shall fix regular weekly, biweekly or monthly meeting days for
3 the transaction of business before the committee or
4 subcommittee. [The chairman of the committee or subcommittee
5 shall notify all members, at least 24 hours in advance of the
6 date, time and place of regular meetings, and, insofar as
7 possible, the subjects on the agenda.] Notice of committee
8 meetings and the meeting agenda shall be given to committee
9 members and posted in accordance with 65 Pa.C.S. § 709(d)
10 (relating to public notice), no later than 12 noon on the second
11 business day prior to the meeting. Amendments to be considered
12 at a meeting shall be delivered to the Harrisburg office of each
13 committee member no later than 12 noon on the business day prior
14 to the committee meeting. Bills not contained in the notice or
15 amendments not delivered in accordance with this rule may not be
16 considered at a committee meeting. In addition to regular
17 meetings, special meetings may be called from time to time by
18 the chairman of the committee or subcommittee as they deem
19 necessary. No committee shall meet during any session of the
20 House without first obtaining permission of the Speaker. During
21 any such meeting, no vote shall be taken on the Floor of the
22 House on any amendment, recommittal motion, final passage of any
23 bill, or any other matter requiring a roll call vote. Any
24 committee meeting called off the Floor of the House shall meet
25 in a committee room. In addition to the specific provisions of
26 this Rule 45, all provisions of [the act of July 19, 1974
27 (P.L.486, No.175)] 65 Pa.C.S. Ch. 7 (relating to open meetings)
28 relative to notice of meetings shall be complied with.

29 At regularly scheduled meetings, or upon the call of the
30 chairman, or subcommittee chairman, for special meetings, the

1 membership of such committees shall meet to consider any bill,
2 resolution, or other matter on the agenda. The secretary of each
3 standing committee, or in case of subcommittees a secretary
4 designated by the subcommittee chairman, shall record:

5 (1) the minutes of the meeting,

6 (2) all votes taken,

7 (3) a roll or attendance of members at standing committee or
8 subcommittee meetings showing the names of those present, absent
9 or excused from attendance, and

10 (4) dispatch of bills and resolutions before the committee.

11 Such records shall be open to public inspection. On the first
12 legislative day of each week the House is in session, the
13 chairman of each standing committee shall submit to the Chief
14 Clerk for inclusion in the House Journal only, the roll or
15 record of attendance of members at standing committee or
16 subcommittee meetings held prior thereto and not yet reported,
17 along with the record of all votes taken at such meetings. All
18 reports from standing committees shall be prepared in writing by
19 the secretary of the committee. Members of a standing committee
20 may prepare in writing and file a minority report, setting forth
21 the reasons for their dissent. Such committee reports shall be
22 filed with the Chief Clerk within five days of the meeting. All
23 meetings at which formal action is taken by a standing committee
24 or subcommittee shall be open to the public, making such reports
25 as are required under Rule 44. When any member, except for an
26 excused absence, fails to attend five consecutive regular
27 meetings of his committee, the chairman of that committee or
28 subcommittee shall notify him of that fact and, if the member in
29 question fails to reasonably justify his absences to the
30 satisfaction of a majority of the membership of the standing

1 committee of which he is a member, his membership on the
2 committee or subcommittee shall be deemed vacant and the
3 chairman of the standing committee shall notify the Speaker of
4 the House to that effect. Such vacancy shall then be filled in
5 the manner prescribed by these rules.

6 Whenever the chairman of any standing committee shall refuse
7 to call a regular meeting, then a majority of the members of the
8 standing committee may vote to call a meeting by giving two days
9 written notice to the Speaker of the House, setting the time and
10 place for such meeting. Such notice shall be read in the House
11 and the same posted by the Chief Clerk in the House Chamber.
12 Thereafter, the meeting shall be held at the time and place
13 specified in the notice. In addition, all provisions of [the act
14 of July 19, 1974 (P.L.486, No.175)] 65 Pa.C.S. Ch. 7 relative to
15 notice of meetings shall be complied with.

16 Records, bills and other papers in the possession of
17 committees and subcommittees, upon final adjournment of the
18 House shall be filed with the Chief Clerk.

19 No committee report, except a report of the Appropriations
20 Committee, shall be recognized by the House, unless the same has
21 been acted upon by a majority vote of the members of a standing
22 committee present at a committee session actually assembled and
23 meeting as a committee, provided such majority vote numbers at
24 least 11 members, and provided further a quorum is present. No
25 committee report of the Appropriations Committee shall be
26 recognized by the House, unless the same has been acted upon by
27 a majority vote of the members of such committee present at a
28 committee session actually assembled and meeting as a committee,
29 provided such majority vote numbers at least 14 members, and
30 provided further a quorum is present.

1 No proxy voting shall be permitted in committee, except as
2 provided for herein. If a member reports to a scheduled
3 committee meeting and advises the chairman and other members of
4 a conflicting committee meeting or other legislative meeting
5 which he or she must attend, the member is authorized to give
6 the chairman or minority chairman his or her proxy in writing
7 which shall include written instructions for the exercise of
8 such proxy by the chairman or minority chairman during the
9 meeting. The member should also advise the chairman where he or
10 she can be reached. In the event the conflicting committee
11 meeting or other legislative meeting is scheduled to convene at
12 the same time or prior to the meeting at which a member desires
13 to vote by proxy, such proxy shall be delivered by the member in
14 person to the offices of both the chairman and minority chairman
15 prior to, but on the same day as, the conflicting meetings.

16 When the majority of the members of a standing committee
17 believe that a certain bill or resolution in the possession of
18 the standing committee should be considered and acted upon by
19 such committee, they may request the chairman to include the
20 same as part of the business of a committee meeting. Upon
21 failure of the chairman to comply with such request, the
22 membership may require that such bill be considered by written
23 motion made and approved by a majority vote of the entire
24 membership to which such committee is entitled.

25 Whenever the phrase "majority of members of a standing
26 committee or subcommittee" is used in these rules, it shall mean
27 majority of the entire membership to which a standing committee
28 or subcommittee is entitled, unless the context thereof
29 indicates a different intent.

30 To assist the House in appraising the administration of the

1 laws and in developing such amendments or related legislation as
2 it may deem necessary, each standing committee or subcommittee
3 of the House shall exercise continuous watchfulness of the
4 execution by the administrative agencies concerned of any laws,
5 the subject matter of which is within the jurisdiction of such
6 committee or subcommittee; and, for that purpose, shall study
7 all pertinent reports and data submitted to the House by the
8 agencies in the executive branch of the Government.

9 The Committee on Appropriations shall have the power to issue
10 subpoenas under the hand and seal of its chairman commanding any
11 person to appear before it and answer questions touching matters
12 properly being inquired into by the committee, which matters
13 shall include data from any fund administered by the
14 Commonwealth, and to produce such books, papers, records,
15 documents and data and information produced and stored by any
16 electronic data processing system as the committee deems
17 necessary. Such subpoenas may be served upon any person and
18 shall have the force and effect of subpoenas issued out of the
19 courts of this Commonwealth. Any person who willfully neglects
20 or refuses to testify before the committee or to produce any
21 books, papers, records, documents or data and information
22 produced and stored by any electronic data processing system
23 shall be subject to the penalties provided by the laws of the
24 Commonwealth in such case. Each member of the committee shall
25 have power to administer oaths and affirmations to witnesses
26 appearing before the committee. The committee may also cause the
27 deposition of witnesses either residing within or without the
28 State to be taken in the manner prescribed by law for taking
29 depositions in civil actions. The Committee on Appropriations
30 may only amend bills that are originally referred to the

1 committee.

2 RULE 77

3 Suspending and Changing Rules

4 Any rule of the House, which is not required by the
5 Constitution, may be temporarily suspended at any time for a
6 specific purpose only by a vote of [55%] 67% of the members
7 elected to the House by a roll call vote.

8 A motion to suspend the rules may not be laid on the table,
9 postponed, committed or amended.

10 The existing rules of the House shall not be changed, added
11 to, modified or deleted except by written resolution and the
12 same approved by a majority vote of the members elected to the
13 House by a roll call vote.

14 Except where such resolution originates with the Committee on
15 Rules, no resolution proposing any change, addition,
16 modification or deletion to existing House rules shall be
17 considered until such resolution has been referred to the
18 Committee on Rules, reported therefrom, printed, filed on the
19 desk of each member and placed on the calendar.

20 Any proposed change, addition, modification or deletion
21 offered by a member on the floor of the House to such resolution
22 shall be considered, in effect, a change, addition, modification
23 or deletion to existing House rules and shall require for
24 approval a majority vote of the members by a roll call vote.