
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 5

Session of
2007

INTRODUCED BY PILEGGI AND MELLOW, JANUARY 2, 2007

INTRODUCED AND ADOPTED, JANUARY 2, 2007

A RESOLUTION

1 Providing for the Rules of the Senate for the 191st and 192nd
2 Regular Session.

3 RESOLVED, That the following be adopted as the Rules of the
4 Senate for the governing of the 191st and 192nd Regular Session.

5 (2007-2008)

6 RULES OF THE SENATE OF PENNSYLVANIA

7 I SESSIONS

8 Regular and Special

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

16 Weekly

17 2. The Senate shall convene its weekly sessions on Monday,

1 unless the Senate shall otherwise direct.

2 II PRESIDENT

3 The Lieutenant Governor shall be President of the Senate.

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

5 III DUTIES OF THE PRESIDENT

6 1. The President shall:

7 (a) Take the chair on every legislative day precisely at the
8 hour to which the Senate stands adjourned, immediately call the
9 Senators to order, and on the appearance of a quorum proceed
10 with the Order of Business of the Senate.

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

21 (c) During debate, prevent personal reflections and confine
22 Senators, in debate, to the question.

23 (d) Decide, when two or more Senators arise, who shall be
24 first to speak.

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

29 (f) Sign resolutions, orders, writs, warrants and subpoenas
30 issued by order of the Senate. The signature shall be attested

1 by the Secretary-Parliamentarian of the Senate, or, if absent,
2 by the Chief Clerk; and the fact of signing shall be entered in
3 the Journal.

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

12 IV PRESIDENT PRO TEMPORE

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

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

26 V DUTIES OF PRESIDENT PRO TEMPORE

27 1. The President Pro Tempore shall:

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

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

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

5 (d) Refer to the appropriate standing committee, every bill
6 and joint resolution which may be introduced in the Senate or
7 received from the House of Representatives. Such referral shall
8 be at the President Pro Tempore's convenience but not later than
9 the succeeding legislative day.

10 (e) Appoint and have under the President Pro Tempore's
11 direction such Senate employees as are authorized by law.

12 (f) Vote last on all questions when occupying the Chair.

13 2. The President Pro Tempore may:

14 (a) Name any Senator to preside in the absence of the
15 President, or if both the President and President Pro Tempore
16 are absent the Majority Leader, or the Majority Leader's
17 designee, shall preside. The Majority Leader, during such time,
18 shall be vested with all powers of the President. This authority
19 shall not extend beyond a day's adjournment.

20 VI OTHER OFFICERS

21 1. Each House shall choose its other officers. (Const. Art.
22 2, Sec. 9)

23 VII DUTIES OF THE SECRETARY-PARLIAMENTARIAN

24 1. At the beginning of each regular session convening in an
25 odd-numbered year and at other times as may be necessary, the
26 Senate shall elect a Secretary-Parliamentarian of the Senate.

27 2. The Secretary-Parliamentarian of the Senate shall:

28 (a) Assist the presiding officer in conducting the business
29 of the session.

30 (b) Act in the capacity of Parliamentarian.

1 3. The Secretary-Parliamentarian of the Senate shall,
2 subject to the direction of the President Pro Tempore:

3 (a) Direct the following functions: (1) amending bills in
4 the Senate; (2) preparing and publishing the Senate Calendar;
5 (3) publication of the Senate History. (4) numbering Senate
6 bills as they are introduced and causing them to be distributed
7 to the chairman of the committee to which they are referred and
8 receiving a receipt for same; (5) printing of bills.

9 (b) Keep a record of the Senate action on a bill on a
10 special record sheet attached to the bill after it has been
11 reported from committee.

12 (c) Transmit all bills, joint resolutions, concurrent
13 resolutions and appropriate memorials to the House of
14 Representatives within twenty-four hours of final passage, and
15 each shall be accompanied by a message stating the title to the
16 measure being transmitted and requesting concurrence of the
17 House.

18 (d) Attest all writs, warrants and subpoenas issued by order
19 of the Senate; certify as to the passage of Senate Bills and the
20 approval of executive nominations.

21 (e) Be in charge of the Senate Library and assist Senators
22 by making reference material available to them.

23 (f) Perform any duties assigned to the Senate Librarian by
24 any statute.

25 (g) Supervise the Chief Sergeant-at-Arms, the Senate Bill
26 Room, the Senate Print Shop, the Official Reporter's Office and
27 the Senate Page Service.

28 4. The Secretary-Parliamentarian of the Senate shall post
29 each roll call vote taken in the Senate on the Internet website
30 maintained by the Senate immediately, but in no case later than

1 24 hours after the vote. Each roll call vote shall be posted in
2 a manner which clearly identifies the bill, resolution or other
3 subject of the vote.

4 5. The Secretary-Parliamentarian of the Senate shall post
5 the Legislative Journal of the Senate on the Internet website
6 maintained by the Senate upon approval of the Journal or within
7 45 calendar days of each session day, whichever is earlier. If
8 the Secretary-Parliamentarian posts the Legislative Journal on
9 the Internet website prior to Senate approval, the copy shall be
10 marked "Official Reporter's Document."

11 VIII DUTIES OF THE CHIEF CLERK

12 1. At the beginning of each regular session convening in an
13 odd-numbered year and whenever necessary, the Senate shall elect
14 a Chief Clerk of the Senate.

15 2. The Chief Clerk shall be the chief fiscal officer of the
16 Senate and shall perform those duties prescribed in section 2.4
17 of the act of January 10, 1968 (1967 P.L.925, No.417), referred
18 to as the Legislative Officers and Employes Law. In addition the
19 Chief Clerk, subject to the direction of the President Pro
20 Tempore, shall perform those powers and duties prescribed in the
21 Financial Operating Rules of the Senate. In the absence of the
22 Secretary-Parliamentarian, the Chief Clerk shall, subject to the
23 direction of the President Pro Tempore, attest all writs,
24 warrants and subpoenas issued by order of the Senate and shall
25 certify as to the passage of Senate Bills and the approval of
26 executive nominations.

27 IX DUTIES OF THE SERGEANT-AT-ARMS

28 1. The Chief Sergeant-at-Arms shall:

29 (a) Be constantly in attendance during the sessions of the
30 Senate except when absent in discharging other duties.

1 (b) Have charge of and direct the work of the Assistant
2 Sergeant-at-Arms.

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

5 (d) Maintain order, at the direction of the presiding
6 officer, in the Senate Chamber and adjoining rooms.

7 (e) See that no person, except those authorized to do so,
8 disturbs or interferes with the desks of the Senators or
9 officers, or with books, papers, etc., thereat.

10 (f) Exclude from the floor all persons not entitled to the
11 privilege of the same.

12 (g) Have charge of all entrances to the Chamber during the
13 sessions of the Senate and shall see that the doors are properly
14 attended.

15 (h) Announce, upon recognition by the presiding officer, all
16 important messages and committees.

17 (i) Escort the Senate to all Joint meetings with the mace.

18 (j) Escort the Senate Committee appointed to attend funeral
19 services of members or former members of the Senate with the
20 mace.

21 X ORDER OF BUSINESS

22 1. The Order of Business to be observed in taking up
23 business shall be as follows:

24 First - Call to Order.

25 Second - Prayer by the Chaplain and Pledge of
26 Allegiance.

27 Third - Reading of Communications.

28 Fourth - Receiving reports of committees.

29 Fifth - Reading of bills in place at which time they
30 shall not be subject to debate or remarks.

1 All bills in place shall be accompanied by
2 four copies of the same. Bills not introduced
3 at this time will be accepted and will be
4 referred to committee and processed not later
5 than the next succeeding legislative day.

6 Sixth - Offering of original resolutions.

7 Seventh - Asking of leaves of absence. No Senator shall
8 absent himself without leave of the Senate,
9 first obtained, unless prevented from
10 attendance by sickness, or other sufficient
11 cause.

12 Eighth - Consideration of the Calendar. Any bill or
13 resolution on the Calendar not finally acted
14 upon within ten legislative days shall be
15 recommitted to the committee which reported
16 the same to the Calendar; any bill or
17 resolution on the Calendar which cannot, by
18 its status, be recommitted shall be removed
19 from the Calendar and laid on the table,
20 unless the Senate shall otherwise direct.

21 Ninth - Consideration of Executive Nominations.

22 Tenth - Approval of Journals of preceding session
23 days.

24 Eleventh - Unfinished Business. Reports of Committees.
25 Congratulatory and condolence resolutions.

26 Twelfth - First consideration of bills reported from
27 committee, which, at this time, shall not be
28 subject to amendment, debate or a vote
29 thereon.

30 Thirteenth - Introduction of Petitions and Remonstrances.

1 Fourteenth - Announcements by the Secretary-
2 Parliamentarian.

3 Fifteenth - Adjournment.
4 Special Order of Business

5 2. Any subject may, by a vote of a majority of the Members
6 present, be made a special order; and when the time so fixed for
7 its consideration arrives, the presiding officer shall lay it
8 before the Senate.

9 XI ORDER AND DECORUM

10 Recognition

11 1. Any Senator who desires to speak or deliver any matter to
12 the Senate shall rise and respectfully address the presiding
13 officer as "Mr. President" or "Madam President," and on being
14 recognized, may address the Senate preferably at a microphone
15 conveniently located on the floor, and shall confine remarks to
16 the question under debate, avoiding personalities.

17 Speaking Out of Order

18 2. If any Senator, in speaking or otherwise shall transgress
19 the Rules of the Senate, the President shall, or any Senator may
20 through the chair, call that Senator to order.

21 Speaking More than Once

22 3. No Senator shall speak more than once on one question, to
23 the prevention of any other who has not spoken and is desirous
24 to speak; nor more than twice without leave of the Senate.

25 Decorum

26 4. While the President is putting a question, no Member
27 shall walk out or across the hall, nor when a Senator is
28 speaking pass between the Senator and the chair, and during the
29 session of the Senate no Senator shall remain at the clerk's
30 desk during the calling of the roll or the tabulating thereof.

1 6. The motion to amend is debatable on the amendments only
2 and does not open the main question to debate.

3 Seconding Motions

4 7. All motions except for the previous questions (which
5 shall be moved by not less than four Senators) may be made
6 without a second.

7 Adjournment and Convening

8 8. (a) A motion to adjourn shall always be in order,
9 excepting when on the call for the previous question, the main
10 question shall have been ordered to be now put, or when a Member
11 has the floor and shall be decided without debate.

12 (b) A motion to adjourn, adopted and not having a
13 reconvening time, the Senate will meet the following day at
14 10:00 a.m.

15 (c) The Senate shall not convene earlier than 8:00 a.m.
16 unless the Senate adopts a motion that sets forth the need to
17 convene earlier than 8:00 a.m.

18 (d) The Senate shall not adjourn later than 11:00 p.m. each
19 session day unless the Senate adopts a motion that sets forth
20 the need to adjourn later than 11:00 p.m.

21 Motion for Previous Question

22 9. Pending the consideration of any question before the
23 Senate, a Senator may call for the previous question, and if
24 seconded by four Senators, the President shall submit the
25 question: "Shall the main question now be put?" If a majority
26 vote is in favor of it, the main question shall be ordered, the
27 effect of which shall cut off all further amendments and debate,
28 and bring the Senate to a direct vote first upon the pending
29 amendments and motions, if there be any, then upon the main
30 proposition. The previous question may be ordered on any pending

1 amendment or motion before the Senate.

2 Motion to Lay on Table

3 10. The motion to lay on the table is not debatable and the
4 effect of the adoption of this motion is to place on the table
5 the pending question and everything adhering to it. Questions
6 laid on the table remain there for the entire session unless
7 taken up before the session closes.

8 Motion to Take from Table

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

13 Reconsideration

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

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

25 Provided, further, that no motion for reconsideration shall
26 be in order unless made on the same day on which the vote was
27 taken, or within the next five days of actual session of the
28 Senate thereafter.

29 A motion to reconsider the same question a third time is not
30 in order. Identical bills cannot be considered at the same

1 session.

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

10 XIII BILLS

11 Passage of Bills

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

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

25 Reference and Printing

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

29 Form of Bills

30 3. No bill shall be passed containing more than one subject,

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

16 Consideration - Second Regular Session

17 9. All bills, joint resolutions, resolutions, concurrent
18 resolutions, or other matters pending before the Senate upon the
19 adjournment sine die of a first regular session convening in an
20 odd-numbered year shall maintain their status and be pending
21 before a second regular session convening in an even-numbered
22 year but not beyond adjournment sine die or November 30th of
23 such year, whichever first occurs.

24 Introduction

25 10. All bills shall be introduced in quintuplicate. A
26 sponsor may be added after a bill has been printed but the
27 addition of sponsors shall not require that the bill be
28 reprinted. All bills shall be examined by the Legislative
29 Reference Bureau for correctness as to form and shall be
30 imprinted with the stamp of the Bureau before being accepted by

1 the President for introduction.

2 Character of Bills in Place - Et cetera

3 11. No Member shall read in place, nor shall any committee
4 report any bill for the action of the Senate, proposing to
5 legislate upon any of the subjects prohibited by Article III,
6 section 32 of the Constitution; nor shall any bill be read in
7 place or reported from a committee, reviving, amending,
8 extending or conferring the provisions of any law, by reference
9 to its title only, but so much of the law as is revived,
10 amended, extended or conferred shall be reenacted and published
11 at length by such bill.

12 Reference to Committee by President Pro Tempore

13 12. Every bill and joint resolution which may be introduced
14 by a Senator or which may be received from the House of
15 Representatives, shall, after being presented to the Chair, be
16 referred by the President Pro Tempore to the appropriate
17 committee, but not later than the succeeding legislative day.

18 Printing of Amended Bills

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

23 Any bill or resolution re-reported from committee as amended
24 shall not be finally considered until it has appeared on the
25 Senate Calendar for two legislative days. Such bills shall
26 appear under a separate heading on the Senate Calendar.

27 First Consideration

28 14. Bills on first consideration shall not be subject to
29 amendment, debate or a vote thereon.

30 Second Consideration

1 15. Bills on second consideration shall be subject to
2 amendment, debate and a vote thereon.

3 Third Consideration and Final Passage

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

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

17 (c) In obtaining the information required by these Rules,
18 the Appropriations Committee may utilize the services of the
19 Budget Office and any other State agency as may be necessary.

20 17. (a) It shall not be in order, by suspension of this
21 Rule or otherwise, to consider a bill on final passage unless it
22 is printed, together with amendments, if any, and placed on the
23 desks of the Senators.

24 (b) No bill amended on third consideration may be voted on
25 final passage until at least six hours have elapsed from the
26 time of adoption of the amendment.

27 Appropriation Bills for Charitable Purposes

28 18. No bills appropriating money for charitable or
29 benevolent purposes shall be considered finally until after the
30 general appropriation bill shall have been reported from

1 committee.

2 Pre-Filing

3 19. Senators may, on days when the Senate is not in session
4 or in the period between sine die adjournment of a First Regular
5 Session and the convening of a Second Regular Session, introduce
6 bills, joint resolutions and resolutions by filing the same with
7 the Secretary-Parliamentarian of the Senate. The Secretary-
8 Parliamentarian of the Senate shall notify the President Pro
9 Tempore of the fact of such filing. The President Pro Tempore
10 shall refer the bills, joint resolutions and resolutions to the
11 appropriate committees as soon as possible but not later than
12 two weeks from the time of notification of filing. Upon
13 referral, the Secretary-Parliamentarian of the Senate shall
14 deliver said bills, joint resolutions and resolutions to the
15 committees to which they have been referred. The Secretary-
16 Parliamentarian of the Senate shall have the bills, joint
17 resolutions and resolutions printed for distribution and
18 notification of such filing shall be given to the Members and
19 news media in the usual manner.

20 20. Any Member of the Senate or Member-elect of the Senate
21 may file bills with the Secretary-Parliamentarian of the Senate
22 commencing on December 15 of each even-numbered year. The
23 Secretary-Parliamentarian of the Senate shall number the bills
24 in the order received; print and distribute such measures; and,
25 in the usual manner, give notification of such filing to the
26 Members and news media.

27 21. Upon the naming of the committees of the Senate at the
28 convening of a First Regular Session, the President Pro Tempore
29 shall refer all pre-filed measures to the proper committee,
30 announcing the number, sponsors and committee referred to the

1 Senate.

2 XIV AMENDMENTS

3 When in Order

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

13 2. Amendments offered on the floor shall be read by the
14 clerk and stated by the presiding officer to the Senate before
15 being acted upon. Amendments shall be presented in ten
16 typewritten copies, the original of which shall be signed by the
17 Sponsor. No amendment may be considered by the Senate until the
18 Secretary-Parliamentarian of the Senate has posted the amendment
19 on the Internet website maintained by the Senate.

20 3. Amendments to bills or other main motions or questions
21 before the Senate may be tabled. When an amendment proposed to
22 any bill or other main motion or question before the Senate is
23 laid on the table, it shall not carry with it or prejudice the
24 bill, main motion or question. A motion to remove an amendment
25 from the table shall only be in order if the bill or other main
26 motion or question remains before the Senate for decision. The
27 motion to remove an amendment from the table is not debatable
28 and shall have the same precedence as the motion to amend.

29 Amendments Reconsidering-Revert to Prior Print

30 4. Amendments adopted or defeated may not be again

1 considered without reconsidering the vote by which said
2 amendments were adopted or defeated, unless a majority vote of
3 the Senators present shall decide to revert to a prior printer's
4 number. If such a motion is made to a bill on third
5 consideration and carried it shall not be in order to vote on
6 the final passage of said bill until a copy of the reverted
7 printer's number is placed on the Senators' desks.

8 Concurrence in House Amendments

9 5. (a) No amendments to bills by the House shall be
10 concurred in by the Senate, except by the vote of a majority of
11 the Members elected to the Senate, taken by yeas and nays.

12 (Const. Art. 3, Sec. 5)

13 (b) If a bill on concurrence contains an amendment which may
14 require the expenditure of Commonwealth funds or funds of a
15 political subdivision or cause a loss of revenue to the
16 Commonwealth or a political subdivision, the bill may not be
17 voted finally until a fiscal note reflecting the impact of the
18 amendment has been attached.

19 (c) No bill on concurrence may be voted finally until at
20 least six hours have elapsed from the time of adoption of the
21 amendment.

22 6. (a) Any bill or resolution containing House amendments
23 which is returned to the Senate shall be referred to the
24 Committee on Rules and Executive Nominations immediately upon
25 the reading of the message by the clerk. The consideration of
26 any bill or resolution containing House amendments may include
27 the amendment of House amendments by the Committee on Rules and
28 Executive Nominations. The vote on concurring in amendments by
29 the House to bills or resolutions amended by the House shall not
30 be taken until said bills or resolutions have been favorably

1 reported, as committed or as amended, by the Committee on Rules
2 and Executive Nominations and have been placed on the desks of
3 the Senators and particularly referred to on their calendars.

4 (b) Unless the Majority Leader and the Minority Leader shall
5 agree otherwise, the offering of an amendment to House
6 amendments in the Committee on Rules and Executive Nominations
7 shall not be in order until at least one hour after the filing
8 of a copy of the amendment as prepared by the Legislative
9 Reference Bureau with the office of the Secretary-
10 Parliamentarian. Upon the filing of such an amendment, the
11 Secretary-Parliamentarian shall immediately time stamp the
12 amendment and forthwith forward a time-stamped copy of the
13 amendment to the offices of the Majority Leader and the Minority
14 Leader. Except as provided in this subsection, it shall not be
15 in order to suspend or otherwise waive the requirements of this
16 subsection.

17 XV COMMITTEES

18 1. There shall be the following permanent Standing
19 committees, the Chairmen, the Vice-Chairmen and members thereof
20 to be appointed by the President Pro Tempore as soon as possible
21 after his election in sessions convening in odd-numbered years
22 or such other times as may be necessary. The composition of each
23 Standing Committee shall reasonably reflect the party
24 composition of the Senate membership.

25 Aging and Youth -- 10 members

26 Agriculture and Rural Affairs -- 10 members

27 Appropriations -- 23 members

28 Banking and Insurance -- 13 members

29 Communications and Technology -- 10 members

30 Community, Economic and Recreational Development -- 13 members

1 Consumer Protection and Professional Licensure --
2 13 members
3 Education -- 10 members
4 Environmental Resources and Energy -- 10 members
5 Finance -- 10 members
6 Game and Fisheries -- 10 members
7 Judiciary -- 13 members
8 Labor and Industry -- 10 members
9 Law and Justice -- 10 members
10 Local Government -- 10 members
11 Public Health and Welfare -- 10 members
12 Rules and Executive Nominations -- 16 members
13 State Government -- 10 members
14 Transportation -- 13 members
15 Urban Affairs and Housing -- 10 members
16 Veterans' Affairs and Emergency Preparedness --
17 10 members

18 Members-ex-officio

19 2. (a) The President Pro Tempore shall be an ex-officio
20 voting Member of all standing committees and subcommittees and
21 not included in the number of committee members herein provided
22 except that the President Pro Tempore shall not be an ex-officio
23 Member of the Committee on Ethics and Official Conduct.

24 (b) The Majority Leader and the Minority Leader shall each
25 be an ex-officio member of the Committee on Appropriations and
26 shall not be included in the number of members of the committee
27 provided herein.

28 Committees' Function Between Sessions

29 3. Permanent standing committees shall exist and function
30 both during and between sessions. Such power shall not extend

1 beyond November 30th of any even-numbered year.

2 Subcommittees

3 4. Each standing committee or the chairman thereof may
4 appoint, from time to time, a subcommittee to study or
5 investigate a matter falling within the jurisdiction of the
6 standing committee or to consider a bill or resolution referred
7 to it. Subcommittees shall be regulated by the Senate Rules of
8 Procedure and shall be in existence for only that time necessary
9 to complete their assignments and report to their standing
10 committees. Their reports, whether favorable or unfavorable,
11 shall be considered by the standing committee.

12 Powers and Responsibilities

13 5. Permanent standing committees are authorized:

14 (a) To maintain a continuous review of the work of the
15 Commonwealth agencies concerned with their subject areas and the
16 performance of the functions of government within each such
17 subject area, and for this purpose to request reports from time
18 to time, in such form as the standing committee or select
19 subcommittee shall designate, concerning the operation of any
20 Commonwealth agency and presenting any proposal or
21 recommendation such agency may have with regard to existing laws
22 or proposed legislation in its subject area. The standing
23 committee or subcommittee is authorized to require public
24 officials and employees and private individuals to appear before
25 the standing committee or subcommittee for the purpose of
26 submitting information to it.

27 (b) In order to carry out its duties, each standing
28 committee or subcommittee is empowered with the right and
29 authority to inspect and investigate the books, records, papers,
30 documents, data, operation, and physical plant of any public

1 agency in this Commonwealth.

2 (c) In order to carry out its duties, each standing
3 committee or subcommittee may issue subpoenas duces tecum and
4 other necessary process to compel the attendance of witnesses
5 and the production of any books, letters or other documentary
6 evidence desired by such committee. The chairman may administer
7 oaths and affirmations in the manner prescribed by law to
8 witnesses who shall appear before such committee for the purpose
9 of testifying in any matter about which such committee may
10 desire evidence.

11 Notice of Meetings

12 6. (a) The chairman of a committee or subcommittee, or, in
13 the absence of the chairman, the vice-chairman with the approval
14 of the chairman, shall provide each Member of the committee with
15 written notice of committee meetings, which shall include the
16 date, time and place of the meeting and the number of each bill
17 which may be considered. During session notice of meetings of
18 standing committees may be published in the daily Calendar. If
19 notice of publication in the daily Calendar of standing
20 committee or subcommittee meetings has been ordered by a
21 committee chairman such information shall be delivered to the
22 Secretary-Parliamentarian's office in writing by the end of the
23 session on the day preceding its intended publication.

24 (b) Whenever the chairman of any standing committee shall
25 refuse to call a regular meeting, then a majority plus one of
26 its members of the standing committee may vote to call a meeting
27 by giving two days' written notice to the Secretary-
28 Parliamentarian of the Senate, setting the time and place for
29 such meeting. Such notice shall be read in the Senate and the
30 same posted by the Secretary-Parliamentarian in the Senate.

1 Thereafter, the meeting shall be held at the time and place
2 specified in the notice. In addition, all provisions of 65
3 Pa.C.S. Ch. 7 (relating to open meetings) relative to notice of
4 meetings shall be complied with.

5 (c) When the majority plus one of the members of a standing
6 committee believe that a certain bill or resolution in the
7 possession of the standing committee should be considered and
8 acted upon by such committee, they may request the chairman to
9 include the same as part of the business of a committee meeting.
10 Upon failure of the chairman to comply with such request, the
11 membership may require that such bill be considered by written
12 motion made and approved by a majority plus one vote of the
13 entire membership to which such committee is entitled.

14 7. A committee meeting, or hearing for which notice has not
15 been published in the daily Calendar of standing committee or
16 subcommittee meetings as provided in section 6(a), may be held
17 during a session only if approval is granted by the Majority and
18 Minority Leaders and if notice of the bills to be considered is
19 given during session.

20 8. Before any standing committee or subcommittee of the
21 Senate holds a meeting while the Legislature is in recess, a
22 notice of said meeting, stating date, time and place, shall be
23 filed with the Secretary of the Senate at least seven days prior
24 thereto.

25 Bills Recommitted

26 9. Any bill or resolution reported by any standing committee
27 without prior notice having been given as required by these
28 Rules shall be recommitted to the committee reporting the same.

29 Public Meetings or Hearings

30 10. (a) The chairman of a standing committee may hold

1 hearings open to the public and in doing so shall make public
2 announcement of the date, the place, and the subject matter of
3 the hearing in ample time to permit participation by the public.
4 All subcommittees may hold public hearings with the permission
5 of the parent standing committee.

6 (b) The chairman of a standing committee shall have the
7 power to designate whether or not a meeting of the committee for
8 the purpose of transacting committee business shall be open to
9 the public or shall be held in executive session and therefore
10 closed to the public, but no matters may be considered in
11 executive session for which an open meeting is required under 65
12 Pa.C.S. Ch. 7 (relating to open meetings).

13 11. All permanent standing committees, and with permission
14 of the parent committee, subcommittees, may have their hearings
15 reported and transcribed if payment for such service is being
16 made from committee funds. The chairman shall contact the
17 Secretary-Parliamentarian to make arrangements for such
18 reporting and transcribing. However, if payment is expected to
19 be made from a source other than committee funds, approval must
20 be first obtained from the President Pro Tempore. The President
21 Pro Tempore shall notify the Secretary-Parliamentarian of the
22 Senate if permission is granted.

23 Subcommittee Reports

24 12. It shall be the duty of a subcommittee to report all
25 measures referred to it directly to the parent standing
26 committee. The subcommittee shall report all measures either (a)
27 favorably, (b) favorably with amendments, or (c) unfavorably.

28 13. Such reports shall also reflect (a) the time and place
29 of the meeting at which the action was taken, (b) the name and
30 address of each person (if any) addressing the committee

1 relative to each measure and the interest represented (proponent
2 or opponent), and (c) the vote of each member of the
3 subcommittee on the motion to report each measure.

4 14. A subcommittee may not report a bill directly to the
5 Senate but must report it back to the parent committee, which in
6 turn shall be authorized to report to the Senate if it is so
7 ordered.

8 15. When a bill with a favorable report by a subcommittee is
9 considered by the parent committee, no additional testimony of
10 witnesses shall be permitted except upon vote of a majority of
11 members of the parent committee as provided by these Rules.

12 Quorum of Committee

13 16. A committee or subcommittee is actually assembled only
14 when a quorum constituting a majority of the members of that
15 committee is present in person. A majority of the quorum of the
16 whole committee shall be required to report any measure to the
17 floor for action by the whole Senate. Any measure reported in
18 violation of this Rule shall be immediately recommitted by the
19 President when it is called to the President's attention by a
20 Senator.

21 Discharging Committees

22 17. (a) No committee shall be discharged from consideration
23 of any measure within ten legislative days of its reference
24 without unanimous consent of the Senate or after such ten-day
25 period except by majority vote of all Members elected to the
26 Senate.

27 (b) Such discharge shall be by resolution which shall lie
28 over one day for consideration upon introduction and which shall
29 be considered under the Order of Business of Resolutions.

30 XVI COMMITTEE OFFICERS

1 Chairman - Ex-officio

2 1. The Chairman of each standing committee shall be ex-
3 officio a member of each subcommittee which is part of the
4 standing committee with the right to attend meetings of such
5 subcommittees and vote on any matter before such subcommittees.

6 Calling Committee to Order

7 2. The Chairman, or, if absent, the Vice-Chairman shall call
8 the committee to order at the hour provided by these Rules. Upon
9 the appearance of a quorum, the committee shall proceed with the
10 order of business. Any member of the committee may question the
11 existence of a quorum.

12 The Chairman Control of the Committee Room

13 3. The Chairman or, if the Chairman is absent, the Vice-
14 Chairman shall preserve order and decorum and shall have general
15 control of the committee room. In case of a disturbance or
16 disorderly conduct in the committee room, the Chairman or, if
17 the Chairman is absent, the Vice-Chairman may cause the same to
18 be cleared. The use of any cellular telephones or other
19 disruptive devices within any Senate committee room by other
20 than members of the Senate or their staffs is strictly
21 prohibited.

22 Chairman's Authority to Sign Notices, etc.

23 Decide Questions of Order

24 4. The Chairman shall sign all notices, vouchers, subpoenas
25 or reports required or permitted by these Rules. The Chairman
26 shall decide all questions of order relative to parliamentary
27 procedure, subject to an appeal by any Senator to the committee.

28 Vote of Chairman, Vice-Chairman

29 5. The Chairman and Vice-Chairman shall vote on all matters
30 before such committee provided that the name of the Chairman

1 shall be called last.

2 Temporary Designation of Alternate to Chairman

3 6. The Chairman may name any member of the committee to
4 perform the duties of the Chair provided that such substitution
5 shall not extend beyond such meeting. In the Chairman's absence
6 and omission to make such designation, the Vice-Chairman shall
7 act during that absence.

8 Performance of Duties by Vice-Chairman

9 7. Upon the death of the Chairman, the Vice-Chairman shall
10 perform the duties of the office until and unless the President
11 Pro Tempore shall appoint a successor. Upon and during
12 disability, or incapacity of the Chairman, the Vice-Chairman
13 shall perform the Chairman's duties.

14 Chairman's Duty to Report

15 8. The Chairman shall report any bill to the floor of the
16 Senate within four legislative days of the committee's vote to
17 report it.

18 XVII COMMITTEE MEMBERS

19 Members, Attendance, Voting

20 1. Every member of a committee shall be in attendance during
21 each of its meetings, unless excused or necessarily prevented
22 and shall vote on each question, except that no member of a
23 committee shall be required or permitted to vote on any
24 questions immediately concerning that member's private rights as
25 distinct from the public interest.

26 2. The Chairman may excuse any Senator for just cause from
27 attendance during the meetings of the committee for any stated
28 period, and such excused absence shall be noted on the records
29 of such committee.

30 3. Any member of a committee who is otherwise engaged in

1 legislative duties may have the member's vote recorded on
2 measures pending before the committee by communicating in
3 writing to the chairman: (a) the nature of the legislative
4 duties that prohibits the member's attendance and; (b) the
5 manner in which the member desires to be voted on such measures
6 pending before the committee.

7 XVIII COMMITTEE VOTING

8 Taking the Vote

9 1. The Chairman shall declare all votes and said votes and
10 the results thereof shall be open to the public. In all cases
11 where the committee shall be equally divided, the question shall
12 be lost.

13 2. A vote in a standing committee to report a bill or
14 resolution or a vote regarding an executive nomination shall be
15 posted on the Internet website maintained by the Senate within
16 48 hours.

17 XIX MOTIONS IN COMMITTEES

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

20 XX CONFERENCE COMMITTEES

21 1. The President Pro Tempore shall appoint three Senators to
22 comprise a Committee of Conference. Two shall be from the
23 majority party and one from the minority party.

24 2. The deliberations of the committee shall be confined to
25 the subject of difference between the two Houses, unless both
26 Houses shall direct a free conference, and if their authority
27 has been exceeded it shall be the duty of the presiding officer
28 to call it to the attention of the Senate, which shall then
29 decide the question by a majority vote of those present.

30 Report of Conference Committee

1 3. (a) The report of a Committee of Conference shall be
2 prepared in triplicate by the Legislative Reference Bureau and
3 shall be signed by the members or a majority of the members of
4 the committee. Every report of a committee of conference shall
5 be printed together with the bill as amended by the committee,
6 placed on the desks of the Senators and particularly referred to
7 on their calendars before action shall be taken on such report.
8 No report of a Committee of Conference may be adopted by the
9 Senate until at least six hours have elapsed from the time of
10 adoption of the report by the Committee of Conference.

11 (b) A report of a Committee of Conference which requires the
12 expenditure of Commonwealth funds or funds of a political
13 subdivision or causes a loss of revenue to the Commonwealth or a
14 political subdivision shall have a fiscal note attached before
15 the report is voted finally.

16 Report of Conference Committee - Adoption

17 4. Reports of committees of conference shall be adopted only
18 by the vote of a majority of the Members elected to the Senate,
19 taken by yeas and nays. (Const. Art. 3, Sec. 5)

20 XXI VOTING

21 Must be Present and Vote

22 1. (a) Except as may be otherwise provided by this Rule, no
23 Senator shall be permitted to vote on any question unless the
24 Senator is present in the Senate Chamber at the time the roll is
25 being called, or prior to the announcement of the vote.

26 Harrisburg Assignment

27 (b) A Senator who is performing a legislative assignment in
28 the Harrisburg area (as defined in the Financial Operating Rules
29 of the Senate) on behalf of the body of the Senate and to which
30 the Senator was duly appointed by the Senate or the appropriate

1 shall be sufficient to pass the same.

2 Majority Vote Defined

3 8. A majority of the Senators elected shall mean a majority
4 of the Senators elected, living, sworn and seated.

5 Majority Vote

6 9. When bills or other matters which require a vote of the
7 majority of Senators elected are under consideration, the
8 concurrence of a majority of all the Senators elected shall not
9 be requisite to decide any question or amendment short of the
10 final question; and, on any question short of a final one, a
11 majority of Senators voting shall be sufficient to pass the
12 same.

13 Announcement of Vote

14 10. Upon completion of a roll call vote or a voice vote the
15 result shall be announced immediately unless the majority or
16 minority leader requests a delay.

17 Explanation of Vote

18 11. Any Senator may, with the consent of the Senate, make an
19 explanation of a vote on any question and have the explanation
20 printed in the Journal.

21 Tie Vote

22 12. In the case of a tie vote, the President of the Senate
23 may cast a vote to break such tie so long as by doing so it does
24 not violate any provisions of the Constitution of Pennsylvania.
25 In the event there is a tie vote on a question requiring a
26 constitutional majority, the question falls.

27 Verifying Vote

28 13. Any Senator may demand a verification of a vote
29 immediately upon the completion of a roll call or after the
30 announcement of vote by the presiding officer. In verifying a

1 or causing any disturbance which tends to interrupt the
2 proceedings of the Senate or House of Representatives.

3 9. Persons assigned to the press gallery on a permanent or
4 temporary basis shall not walk onto the floor of the Senate or
5 House of Representatives nor approach the rostrum or the clerks'
6 desks during session or while being at ease.

7 10. Persons assigned to the press gallery on a permanent or
8 temporary basis wishing to confer with a Senator or
9 Representative shall disclose this fact by having a message
10 delivered by a Page to the Senator or Representative. Such
11 conversation shall be conducted off the floor of the Senate or
12 House of Representatives.

13 XXIII RADIO AND TELEVISION

14 1. Filming, videotaping, televising or broadcasting of
15 Senate sessions shall be permitted as provided in policy
16 directives developed and recommended by the Committee on
17 Management Operations. The policy directives recommended by the
18 Committee on Management Operations shall be submitted to the
19 Senate and shall become effective upon the approval of a
20 resolution by the Senate by the vote of a majority of the
21 Senators elected. Filming, videotaping, televising or
22 broadcasting of Senate sessions shall be prohibited prior to the
23 adoption of the policy directives.

24 2. Nothing in this Rule shall be construed to prohibit any
25 licensed radio station from broadcasting a session from the
26 Senate or any part thereof provided that the signal originates
27 from the Senate-operated sound system which transmits Senate
28 session activity to the offices in the Main Capitol and
29 environs.

30 XXIV RECORDS OF THE SENATE

1 1. The records of the Senate may be inspected by the
2 Members, but no paper shall be withdrawn therefrom without the
3 consent of the Senate.

4 XXV WHO PRIVILEGED TO THE

5 FLOOR OF THE SENATE

6 1. No person shall be admitted within the Senate Chamber
7 (galleries and press boxes excepted) during Senate sessions,
8 unless invited by an officer or the majority or minority
9 leaders. Such authorized staff shall be restricted to the area
10 immediate to the majority and minority leaders' desks and shall
11 be allowed to advise Members during debate only when such Member
12 is using the microphones at the leaders' desks.

13 Rear Entrance Closed During Session

14 2. No person or persons shall, during a session, be
15 permitted to enter through the rear door of the Senate Chamber
16 nor be present in the rooms immediately to the rear of the
17 Senate Chamber except Senators, officers and employees expressly
18 authorized.

19 Telephone Facilities

20 3. No person or persons other than Senators or their staff
21 shall, at any time, be permitted to use the telephone facilities
22 in or adjacent to the Senate Chamber.

23 XXVI RULES

24 1. These Rules shall be in full force and effect until
25 altered, changed, amended or repealed as provided herein.

26 Dispensing with Rules

27 2. The consent of a majority of the Senators elected shall
28 be necessary to suspend any Rule.

29 Altering, Changing or Amending - Vote

30 3. The consent of a majority of the Senators elected shall

1 be necessary to alter, change or amend these Rules.

2 Alterations, Changing or Amending - Resolution

3 4. All alterations, changes or amendments to Senate Rules
4 shall be by resolution which shall not be considered unless
5 first referred to and reported from the Rules Committee.

6 XXVII MASON'S MANUAL OF LEGISLATIVE

7 PROCEDURE TO GOVERN SENATE

8 1. The Rules of Parliamentary Practice comprised in Mason's
9 Manual of Legislative Procedure shall govern the Senate in all
10 cases to which they are applicable, and in which they are not
11 inconsistent with the Standing Rules, Prior Decisions and Orders
12 of the Senate.

13 XXVIII QUORUM

14 Majority Constitutes a Quorum

15 1. A majority of Senators elected shall constitute a quorum,
16 but a smaller number may adjourn from day to day, and compel the
17 attendance of absent members. (Const. Art. 2, Sec. 10)

18 When Less than a Quorum is Present

19 2. When, upon a call, which may be demanded by not less than
20 four Senators, it is found that less than a quorum is present,
21 it shall be the duty of the President to order the doors of the
22 Senate to be closed, and to direct the clerk to call the roll of
23 the Senate and note the absentees after which the names of the
24 absentees shall be again called, and those for whose absence no
25 excuse, or an insufficient excuse is made, may by order of a
26 majority of the Senators present be sent for and taken into
27 custody by the Sergeant-at-Arms, or assistant sergeants-at-arms
28 appointed for the purpose, and brought before the bar of the
29 Senate, where, unless excused by a majority of the Senators
30 present, they shall be reprovved by the President for neglect of

1 duty.

2 When Less than a Quorum Vote But Present

3 3. When less than a quorum vote upon any subject under the
4 consideration of the Senate, not less than four Senators may
5 demand a call of the Senate, when it shall be the duty of the
6 President forthwith to order the doors of the Senate to be
7 closed and the roll of the Senators to be called. If it is
8 ascertained that a quorum is present, either by answering to
9 their names, or by their presence in the Senate, the President
10 shall again order the yeas and nays; and, if any Senator or
11 Senators present refuse to vote, the name or names of such
12 Senator or Senators shall be entered on the Journal as "Present
13 but not voting." Such refusal to vote shall be deemed a
14 contempt; and, unless purged, the President shall direct the
15 Sergeant-at-Arms to bring such Senator or Senators before the
16 bar of the Senate, where the Senator or Senators shall be
17 publicly reprimanded by the President.

18 XXIX EXECUTIVE NOMINATIONS

19 Presentation and Reference

20 1. All nominations by the Governor or the Attorney General
21 shall be submitted to the Secretary-Parliamentarian of the
22 Senate. All nominees shall file the financial statements
23 required pursuant to 65 Pa.C.S. Ch. 11 (relating to ethics
24 standards and financial disclosure) with the Secretary-
25 Parliamentarian of the Senate. Copies of the nominations and
26 financial statements shall be furnished by the Secretary-
27 Parliamentarian of the Senate to the Majority and Minority
28 Caucus Secretaries or their designees.

29 2. Nominations shall, after being read, without a motion, be
30 referred by the presiding officer to the Committee on Rules and

1 Executive Nominations. After having been reported by the
2 committee, the final question on every nomination shall be:
3 "Will the Senate advise and consent to this nomination?"

4 3. The Committee on Rules and Executive Nominations shall
5 refer nominations to appropriate standing committees of the
6 Senate, which shall hold public hearings for all nominees for
7 offices which have Statewide jurisdiction and to which salaries
8 are attached; scrutinize the qualifications of nominees and
9 report back their recommendations. Public hearings may be held
10 for nominees for any other office.

11 Information Concerning Nominations

12 4. All information, communication or remarks made by a
13 Senator when acting upon nominations in committee, concerning
14 the character or qualifications of the person nominated, shall
15 be kept secret. If, however, charges shall be made against a
16 person nominated, the committee may, in its discretion, notify
17 such nominee thereof, but the name of the person making such
18 charges shall not be disclosed.

19 Consideration

20 5. When the consideration of executive nominations is
21 reached in the order of business, a Senator may make a motion to
22 go into executive session for the purpose of confirming the
23 nominations which have been reported from committee; and on the
24 motion being agreed to, such nomination or nominations shall be
25 considered the first order of the day until finally disposed of,
26 unless the same shall be postponed by a majority of the Senate;
27 but such business when once commenced shall not be postponed for
28 more than five days, except in case of an adjournment of the
29 Senate for a longer period.

30 Executive Session

1 course, under their appropriate order of business:

2 a. All Senate and House concurrent resolutions, excepting
3 resolutions in reference to adjournments and those recalling
4 bills from the Governor, which shall be regarded as privileged.

5 b. Resolutions containing calls for information from the
6 heads of departments, or to alter the Rules.

7 c. Resolutions giving rise to debate, except such as relate
8 to the disposition of matters immediately before the Senate,
9 such as relate to the business of the day on which they were
10 offered and such as relate to adjournment or taking a recess.

11 Printing in Senate History

12 3. Congratulatory and condolence resolutions shall be given
13 to the Secretary-Parliamentarian and shall be considered under
14 the order of unfinished business in the daily order of business.

15 4. All resolutions shall be adopted by a majority vote of
16 the Senators present except as specifically provided for in this
17 Rule.

18 Joint Resolutions

19 5. Joint Resolutions shall be limited to constitutional
20 amendments and shall be adopted by a vote of a majority of the
21 Senators elected to the Senate;

22 A joint resolution when passed by both Houses shall not be
23 transmitted to the Governor for his approval or disapproval but
24 shall be filed in the Office of the Secretary of the
25 Commonwealth in accordance with Article XI, Section 1 of the
26 Constitution of Pennsylvania.

27 XXXI LOUNGING IN THE SENATE PROHIBITED

28 1. The Secretary-Parliamentarian of the Senate shall cause
29 the doors of the Senate Chamber closed to all persons except
30 persons who are entitled under the Rule of the Senate; and the

1 Secretary-Parliamentarian shall call on any officer of the
2 Senate to aid him in enforcing this order; and on days when the
3 Senate is not in session the officers are hereby required to
4 strictly prohibit any lounging within the Senate Chamber by any
5 person not connected with the General Assembly, and that
6 henceforth no officer, nor any other person, be permitted to
7 occupy the seat of a Senator at any time; it shall be the duty
8 of the President to see that this Rule is enforced, and a
9 persistent disregard of it by any officer or employee shall be
10 cause of dismissal by the President.

11 XXXII VETO

12 Passing over Veto

13 1. When any bill is not approved by the Governor, he shall
14 return it with his objection to the House in which such bill
15 originated. Thereupon such House shall enter the objections upon
16 their Journal and proceed to reconsider it. If after such
17 reconsideration, two-thirds of all the Members elected to that
18 House shall agree to pass the bill, it shall be sent with the
19 objections to the other House by which likewise it shall be
20 reconsidered, and, if approved by two-thirds of all the members
21 elected to that House, it shall become a law. (Const. Art. 4,
22 Sec. 15)

23 2. A bill vetoed in a first regular session and not finally
24 acted upon may be brought up for consideration in a second
25 regular session.

26 XXXIII DIVISION OF A QUESTION

27 1. Any Senator may call for a division of a question by the
28 Senate if the question includes points so distinct and separate
29 that, one of them being taken away, the other will stand as a
30 complete proposition. The motion to strike out and insert is

1 strictly one proposition, and, therefore indivisible.

2 XXXIV SENATE EXPENDITURES

3 1. Counsel employed by a committee chairman or minority
4 chairman for the committee may not represent the committee
5 chairman or a member of the chairman's staff, or any member of
6 the committee or of a committee member's staff, in any private
7 legal proceeding while employed by the Senate. Nor may any
8 Senate funds be used to pay private legal counsel for any
9 Senator, officer or staff member.

10 XXXV COMMITTEE ON ETHICS AND OFFICIAL CONDUCT

11 1. In addition to the committees created by Rule XV, there
12 shall be a Committee on Ethics and Official Conduct which shall
13 be composed of six members appointed by the President Pro
14 Tempore. Three members shall be of the Majority Party and three
15 members shall be of the Minority Party. The Minority Party
16 members will be appointed on the recommendation of the Minority
17 Leader.

18 2. The President Pro Tempore shall appoint one of the
19 Majority Party members as Chairman and, on the recommendation of
20 the Minority Leader, one of the Minority Party members as Vice-
21 Chairman. A quorum for this committee shall be four members and
22 the committee shall have such duties, powers, procedure and
23 jurisdiction as are prescribed and authorized in this Rule.

24 3. The committee shall receive complaints against members,
25 officers and employees of the Senate alleging illegal or
26 unethical conduct or violation of any statute, Rule or
27 regulation governing the use of money appropriated to the
28 Senate. Any such complaint must be in writing, verified by the
29 person filing the complaint and must set forth in detail the
30 conduct in question and the section of the "Legislative Code of

1 Ethics" or the statute, Rule or regulation violated. The
2 committee shall make a preliminary investigation of the
3 complaint, and if it is determined by a majority of the
4 committee that a violation may have occurred, the person against
5 whom the complaint has been brought shall be notified in writing
6 and given a copy of the complaint. Within ten days after receipt
7 of the complaint, such person may file a written answer thereto
8 with the committee. Upon receipt of the answer, by vote of a
9 majority of the committee, the committee shall either dismiss
10 the complaint within ten days or proceed with a formal
11 investigation, which may include hearings, not more than twenty
12 days after notice in writing to the persons so charged. Failure
13 of the person charged to file an answer shall not be deemed to
14 be an admission or create an inference or presumption that the
15 complaint is true, and such failure to file an answer shall not
16 prohibit a majority of the committee from either proceeding with
17 a formal investigation or dismissing the complaint.

18 4. In addition to action on formal complaints as provided in
19 section 3, a majority of the committee may initiate a
20 preliminary investigation of a suspected violation of the
21 "Legislative Code of Ethics" or a violation of any other
22 statute, Rule or regulation governing the use of money
23 appropriated to the Senate by a Member, officer or employee of
24 the Senate. If it is determined by a majority of the committee
25 that a violation may have occurred, the person in question shall
26 be notified in writing of the conduct in question and the
27 section of the "Legislative Code of Ethics" or other statute,
28 Rule or regulation violated. Within ten days, such person may
29 file a written answer thereto. Upon receipt of the answer, by
30 vote of a majority of the committee, the committee shall either

1 dismiss the charges within ten days or proceed with a formal
2 investigation which may include hearings, not more than twenty
3 days after notice in writing to the person so charged. Failure
4 of the person charged to file an answer shall not be deemed to
5 be an admission or create an inference or presumption that the
6 charge is true, and such failure to file an answer shall not
7 prohibit a majority of the committee from either proceeding with
8 a formal investigation or dismissing the charge.

9 5. The chairman shall notify all members of the committee at
10 least twenty-four hours in advance of the date, time and place
11 of a regular meeting. Whenever the chairman shall refuse to call
12 a regular meeting, a majority of the committee may call a
13 meeting by giving two days' written notice to the Majority and
14 Minority Leaders of the Senate setting forth the time and place
15 for such meeting. Thereafter, the meeting shall be held at the
16 time and place specified in such notice.

17 The committee shall conduct its investigations, hearings and
18 meetings relating to a specific investigation or a specific
19 Member, officer or employee of the Senate in closed session and
20 the fact that such investigation is being conducted or is to be
21 conducted or that hearings or such meetings are being held or
22 are to be held shall be confidential information unless the
23 person subject to investigation advises the committee in writing
24 that he elects that such meetings or hearings shall be held
25 publicly: Provided, however, That whenever the committee is
26 conducting an investigation of an employee of the Senate the
27 committee shall inform the Senator or officer supervising such
28 employee of the investigation. In the event of such an election,
29 the committee shall furnish such person a public meeting or
30 hearing. All other meetings of the committee shall be open to

1 the public and notice of such meetings shall be given as
2 generally provided in these Rules for the convening of
3 committees.

4 In the event that the committee shall elect to proceed with a
5 formal investigation of the conduct of any Member, officer or
6 employee of the Senate, the committee may employ independent
7 counsel.

8 All constitutional rights of any person under investigation
9 shall be preserved, and such person shall be entitled to present
10 evidence, cross-examine witnesses, face the accuser, and be
11 represented by counsel.

12 The chairman may continue any hearing for reasonable cause,
13 and upon the vote of a majority of the committee or upon the
14 request of the person subject to investigation, the chairman
15 shall issue subpoenas for the attendance and testimony of
16 witnesses and the production of documentary evidence relating to
17 any matter under formal investigation by the committee. The
18 committee may administer oaths or affirmations and examine and
19 receive evidence.

20 6. All testimony, documents, records, data, statements or
21 information received by the committee in the course of any
22 investigation shall be private and confidential except in the
23 case of public meetings or hearings or in a report to the
24 Senate. No report shall be made to the Senate unless a majority
25 of the committee has made a finding of unethical or illegal
26 conduct or violation of the statutes, Rules and regulations
27 relating to Senate funds on the part of the person under
28 investigation. No finding of unethical or illegal conduct or
29 violation of the statutes, Rules and regulations relating to
30 Senate funds shall be valid unless signed by at least a majority

1 of the committee. Any such report may include a minority report.
2 No action shall be taken on any finding of illegal or unethical
3 conduct or violation of the statutes, Rules or regulations
4 relating to Senate funds, nor shall such finding or report
5 containing such finding be made public, sooner than seven days
6 after a copy of the finding is sent by certified mail to the
7 Member, officer or employee under investigation.

8 7. In the event the committee finds that a Member, officer,
9 or employee of the Senate has violated a statute, Rule or
10 regulation relating to use of Senate funds, the committee may
11 order such Member, officer, or employee to reimburse the Senate
12 for the funds wrongly expended and to take other remedial
13 action. If the Member, officer, or employee does reimburse the
14 Senate or take such other remedial action as may have been
15 required, no formal report shall be made to the Senate unless
16 the committee is requested in writing to file a formal report by
17 the Member, officer, or employee who is the subject of the
18 order. If the Member, officer, or employee fails to reimburse
19 the Senate or take the required remedial action within seven
20 days of receipt of the order, the committee, unless it shall, by
21 majority vote thereof, extend such time for good cause, shall
22 within seven days file its formal report with the Senate along
23 with its recommendation of action by the Senate to secure
24 reimbursement, effect the recommended remedial action, or
25 initiate appropriate disciplinary action.

26 Any Member, officer, or employee of the Senate who is the
27 subject of an order of reimbursement or remedial action may
28 appeal the committee's order to the Senate within seven days of
29 receipt of the order by filing notice thereof with the
30 Secretary-Parliamentarian of the Senate, who shall cause such

1 notice to be distributed to the Members of the Senate along with
2 a copy of the report of the committee involving such Member,
3 officer, or employee.

4 Notice of the appeal shall be placed on the Senate Calendar
5 and shall be acted on by the Senate within ten legislative days.
6 A vote by a majority of the Members elected shall be necessary
7 to sustain an appeal or modify the committee report or order;
8 otherwise it shall become effective and the Members, officers,
9 and employees of the Senate shall take such action as is
10 necessary to secure compliance.

11 8. The committee, whether or not at the request of a Member,
12 officer or employee concerned about an ethical problem or
13 question concerning the use of Senate funds relating to himself
14 alone or in conjunction with others may render advisory opinions
15 with regard to questions pertaining to legislative ethics,
16 decorum, or use of Senate funds. Such advisory opinions, with
17 such deletions and changes as shall be necessary to protect the
18 identity of the persons involved or seeking them, may be
19 published and shall be distributed to all members, officers and
20 employees of the Senate. No order for reimbursement or remedial
21 action may be made when the Member, officer, or employee has
22 relied on a written advisory opinion, whether addressed to him
23 or not, which is reasonably construed as being applicable to the
24 complained of conduct.

25 9. In the event that a member of the committee shall be
26 under investigation, said Member shall be temporarily replaced
27 on the committee in a like manner as said Member's original
28 appointment.

29 Any member of the committee breaching the confidentiality of
30 materials and events as set forth in this Rule shall be removed

1 immediately from the committee and replaced by another Member of
2 the Senate appointed in a like manner as said Member's original
3 appointment.

4 10. The committee may adopt rules of procedure for the
5 orderly conduct of its affairs, investigations, hearings and
6 meetings, which rules are not inconsistent with this Rule.

7 11. The committee may meet with a committee of the House of
8 Representatives to hold investigations or hearings involving
9 employees of the two Houses jointly, or officers or employees of
10 the Legislative Reference Bureau, the Joint State Government
11 Commission, the Local Government Commission, the Joint
12 Legislative Air, Soil and Water Conservation and Control
13 Commission, the Legislative Budget and Finance Committee and the
14 Legislative Data Processing Committee: Provided, however, That
15 no action may be taken at a joint meeting unless it is approved
16 by a majority of each committee.

17 12. The Legislative Audit Advisory Commission shall submit
18 copies of its reports to the committee which shall review them
19 and proceed, where appropriate, as provided in section 7.

20 13. Whenever the committee shall employ independent counsel
21 or shall incur other expenses pursuant to its duties under this
22 Rule, payment of costs of such independent counsel or other
23 expenses incurred by the committee pursuant to this Rule, shall
24 be paid by the Chief Clerk upon submission of vouchers and
25 necessary documentation which vouchers shall be signed by both
26 the chairman and vice-chairman of the committee. Included in
27 such allowable expense items shall be travel and per diem for
28 the members of the committee. The Chief Clerk shall pay such
29 expenses out of funds appropriated to the Chief Clerk for
30 incidental expenses.

1 XXXVI STATUS OF MEMBERS INDICTED OR CONVICTED

2 OF A CRIME

3 1. When an indictment is returned against a Member of the
4 Senate, and the gravamen of the indictment is directly related
5 to the Member's conduct as a committee chairman, ranking
6 minority committee member or in a position of leadership, the
7 Member shall be relieved of such committee chairmanship, ranking
8 minority committee member status, or leadership position until
9 the indictment is disposed of, but the Member shall otherwise
10 continue to function as a Senator, including voting, and shall
11 continue to be paid.

12 2. If, during the same legislative session, the indictment
13 is quashed, or the court finds that the Member is not guilty of
14 the offense alleged, the Member shall immediately be restored to
15 the committee chairmanship, ranking minority committee member
16 status, or leadership position retroactively from which he was
17 suspended.

18 3. Upon a finding or verdict of guilt by a judge or jury,
19 plea or admission of guilt or plea of nolo contendere of a
20 Member of the Senate of a crime, the gravamen of which relates
21 to the Member's conduct as a Senator, and upon imposition of
22 sentence, the Secretary-Parliamentarian of the Senate shall
23 prepare a resolution of expulsion under the sponsorship of the
24 Chairman and Vice-Chairman of the Senate Committee on Ethics and
25 Official Conduct. The resolution shall be printed and placed on
26 the Calendar for the next day of Senate session.

27 XXXVII STATUS OF OFFICERS OR EMPLOYEES INDICTED

28 OR CONVICTED OF A CRIME

29 1. Whenever any officer or employee of the Senate is
30 indicted or otherwise charged before a court of record with the

1 commission of a felony or a misdemeanor the gravamen of which
2 relates to the officer's or employee's conduct or status as an
3 officer or employee of the Commonwealth or the disposition of
4 public funds, such employee shall immediately be suspended
5 without pay and benefits by the Chief Clerk. After a finding or
6 a verdict of guilt by a judge or a jury, plea or admission of
7 guilt, or plea of nolo contendere, and upon imposition of
8 sentence, the employment shall be terminated.

9 2. If the indictment is quashed, or the court finds that the
10 officer or employee is not guilty of the offense alleged, the
11 suspension without pay shall be terminated, and the officer or
12 employee shall receive compensation for the period of time
13 during which the officer or employee was suspended which
14 compensation shall be reduced by the amount of any compensation
15 said officer or employee earned from other employment during the
16 period of suspension.

17 3. If the officer or employee or the supervising Senator of
18 such employee disagrees with the decision of the Chief Clerk as
19 to whether an indictment for particular conduct shall be a crime
20 requiring suspension or dismissal, the officer or employee in
21 question or the supervising Senator may appeal the suspension to
22 the Committee on Ethics and Official Conduct, which shall
23 determine whether the conduct charged is an offense requiring
24 suspension. Whenever an appeal of a suspension shall be taken to
25 the committee, the suspension shall remain effective pending a
26 decision by the committee.