

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 4 Session of
2011

INTRODUCED BY PILEGGI AND COSTA, JANUARY 4, 2011

INTRODUCED AND ADOPTED, JANUARY 4, 2011

A RESOLUTION

1 Providing for the Rules of the Senate for the 195th and 196th
2 Regular Session.

3 RESOLVED, That the following be adopted as the Rules of the
4 Senate for the governing of the 195th and 196th Regular Session.

5 (2011-2012)

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,
18 unless the Senate shall otherwise direct.

1 II PRESIDENT

2 The Lieutenant Governor shall be President of the Senate.
3 (Const. Art. 4, Sec. 4)

4 III DUTIES OF THE PRESIDENT

5 1. The President shall:

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

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

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

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

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

28 (f) Sign resolutions, orders, writs, warrants and subpoenas
29 issued by order of the Senate. The signature shall be attested
30 by the Secretary-Parliamentarian of the Senate, or, if absent,

1 by the Chief Clerk; and the fact of signing shall be entered in
2 the Journal.

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

11 IV PRESIDENT PRO TEMPORE

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

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

25 V DUTIES OF PRESIDENT PRO TEMPORE

26 1. The President Pro Tempore shall:

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

30 (b) Appoint members to special committees whenever

1 authorized.

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

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

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

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

12 2. The President Pro Tempore may:

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

19 VI OTHER OFFICERS

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

22 VII DUTIES OF THE SECRETARY-PARLIAMENTARIAN

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

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

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

29 (b) Act in the capacity of Parliamentarian.

30 3. The Secretary-Parliamentarian of the Senate shall,

1 subject to the direction of the President Pro Tempore:

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

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

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

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

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

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

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

27 4. The Secretary-Parliamentarian of the Senate shall post
28 each roll call vote taken in the Senate on the Internet website
29 maintained by the Senate immediately, but in no case later than
30 24 hours after the vote. Each roll call vote shall be posted in

1 a manner which clearly identifies the bill, resolution or other
2 subject of the vote.

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

10 VIII DUTIES OF THE CHIEF CLERK

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

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

26 IX DUTIES OF THE SERGEANT-AT-ARMS

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

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

30 (b) Have charge of and direct the work of the Assistant

1 Sergeant-at-Arms.

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

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

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

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

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

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

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

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

20 X ORDER OF BUSINESS

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

23 First	Call to Order.
24 Second	Prayer by the Chaplain and
25	Pledge of Allegiance.
26 Third	Reading of Communications.
27 Fourth	Receiving reports of committees.
28 Fifth	Reading of bills in place at
29	which time they shall not be
30	subject to debate or remarks.

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

9 Sixth Offering of original
10 resolutions.

11 Seventh Asking of leaves of absence. No
12 Senator shall absent himself
13 without leave of the Senate,
14 first obtained, unless prevented
15 from attendance by sickness, or
16 other sufficient cause.

17 Eighth Consideration of the Calendar.
18 Any bill or resolution on the
19 Calendar not finally acted upon
20 within ten legislative days
21 shall be recommitted to the
22 committee which reported the
23 same to the Calendar; any bill
24 or resolution on the Calendar
25 which cannot, by its status, be
26 recommitted shall be removed
27 from the Calendar and laid on
28 the table, unless the Senate
29 shall otherwise direct.

30 Ninth Consideration of Executive

1		Nominations.
2	Tenth	Approval of Journals of
3		preceding session days.
4	Eleventh	Unfinished Business. Reports of
5		Committees. Congratulatory and
6		condolence resolutions.
7	Twelfth	First consideration of bills
8		reported from committee, which,
9		at this time, shall not be
10		subject to amendment, debate or
11		a vote thereon.
12	Thirteenth	Introduction of Petitions and
13		Remonstrances.
14	Fourteenth	Announcements by the Secretary-
15		Parliamentarian.
16	Fifteenth	Adjournment.
17		Special Order of Business

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

22 XI ORDER AND DECORUM

23 Recognition

24 1. Any Senator who desires to speak or deliver any matter to
25 the Senate shall rise and respectfully address the presiding
26 officer as "Mr. President" or "Madam President," and on being
27 recognized, may address the Senate preferably at a microphone
28 conveniently located on the floor, and shall confine remarks to
29 the question under debate, avoiding personalities.

30 Speaking Out of Order

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

4 Speaking More than Once

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

8 Decorum

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

14 Smoking

15 4.1. No smoking of cigarettes, cigars, pipes and other
16 tobacco products shall be allowed in the Hall of the Senate.

17 Order and Privilege

18 5. No Senator speaking shall be interrupted by another
19 except by a call to order, or by a question of privilege, or by
20 a call for the previous question, without the consent of the
21 Senator speaking, and no Senator shall speak on a question after
22 it is put to a vote.

23 Questions of Order

24 6. The presiding officer shall decide all questions of
25 order, subject to appeal by any member. No debate shall be
26 allowed on questions of order, unless there be an appeal. A
27 second point of order on the same general subject, but not the
28 same point, is not in order while an appeal is pending, but when
29 the first appeal is decided, laid on the table or otherwise
30 disposed of, the second point of order is in order and is

1 subject to appeal. While an appeal is pending no other business
2 is in order. It is within the discretion of the presiding
3 officer as to whether to vacate the chair on an appeal.

4 Question When Interrupted

5 7. A question regularly before the Senate can be interrupted
6 only by a call for the previous question, for amendment,
7 postponement, to lay on the table, commitment, recess or
8 adjournment.

9 XII MOTIONS

10 Putting a Motion

11 1. When a motion is made, it shall, before debate, be stated
12 by the President. Every motion made to the Senate and
13 entertained by the President shall be reduced to writing on the
14 demand of any member, and shall be entered on the Journal with
15 the name of the Senator making it. A motion may be withdrawn by
16 the Member making it before amendment, postponement, an order to
17 lie on the table, or decision.

18 Precedence of Motions

19 2. Motions shall take precedence in the following order:

- 20 1. Adjourn.
- 21 2. Previous question.
- 22 3. Recess.
- 23 4. Privilege.
- 24 5. Orders of the day.
- 25 6. Lay on the table.
- 26 7. Limit, close or extend limit on debate.
- 27 8. Postpone.
- 28 9. Commit or recommit.
- 29 10. Amend.
- 30 11. Main motion.

Non-Debatable Motions

3. Non-debatable motions are:

1. Adjourn or recess.
2. Previous question.
3. Lay on table.
4. Orders of the day.
5. Limit, close or extend limit on debate.

Motions Which Permit Limited Debate

4. On the motion to postpone, the question of postponement is open to debate, but the main question is not.

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

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

Seconding Motions

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

Adjournment and Convening

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

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

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

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

4 Motion for Previous Question

5 9. Pending the consideration of any question before the
6 Senate, a Senator may call for the previous question, and if
7 seconded by four Senators, the President shall submit the
8 question: "Shall the main question now be put?" If a majority
9 vote is in favor of it, the main question shall be ordered, the
10 effect of which shall cut off all further amendments and debate,
11 and bring the Senate to a direct vote first upon the pending
12 amendments and motions, if there be any, then upon the main
13 proposition. The previous question may be ordered on any pending
14 amendment or motion before the Senate.

15 Motion to Lay on Table

16 10. The motion to lay on the table is not debatable and the
17 effect of the adoption of this motion is to place on the table
18 the pending question and everything adhering to it. Questions
19 laid on the table remain there for the entire session unless
20 taken up before the session closes.

21 Motion to Take from Table

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

26 Reconsideration

27 12. When a question has once been made and carried in the
28 affirmative or negative, it shall be in order to move the
29 reconsideration thereof. When the Senate has been equally
30 divided on a question, or a bill shall have failed to pass, by

reason of not having received the number of votes required by the Constitution, it shall be in order to move the reconsideration thereof.

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

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

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

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

XIII BILLS

Passage of Bills

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

(b) No alteration or amendment shall be considered which is not appropriate and closely allied to the original purpose of

1 the bill. If a bill has been amended after being reported by the
2 Appropriations Committee and if the amendment may require the
3 expenditure of Commonwealth funds or funds of a political
4 subdivision or cause a loss of revenue to the Commonwealth or a
5 political subdivision, the bill may not be voted on final
6 passage until a fiscal note reflecting the impact of the
7 amendment has been attached.

8 Reference and Printing

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

12 Form of Bills

13 3. No bill shall be passed containing more than one subject,
14 which shall be clearly expressed in its title, except a general
15 appropriation bill or a bill codifying or compiling the law or a
16 part thereof. (Const. Art. 3, Sec. 3)

17 Consideration of Bills

18 4. Every bill shall be considered on three different days in
19 each House. All amendments made thereto shall be printed for the
20 use of the members before the final vote is taken on the bill
21 and before the final vote is taken, upon written request
22 addressed to the presiding officer of either House by at least
23 twenty-five per cent of the Members elected to that House, any
24 bill shall be read at length in that House. No bill shall become
25 a law, unless on its final passage the vote is taken by yeas and
26 nays, the names of the persons voting for and against it are
27 entered on the Journal, and a majority of the Members elected to
28 each House is recorded thereon as voting in its favor. (Const.
29 Art. 3, Sec. 4)

30 Local and Special Bills

1 that no scholarship, grants or loans for higher educational
2 purposes shall be given to persons enrolled in a theological
3 seminary or school of theology. (Const. Art. 3, Sec. 29)

4 Charitable and Educational Appropriations

5 8. No appropriation shall be made to any charitable or
6 educational institution not under the absolute control of the
7 Commonwealth, other than normal schools established by law for
8 the professional training of teachers for the public schools of
9 the State, except by a vote of two-thirds of all the members
10 elected to each House. (Const. Art. 3, Sec. 30)

11 Land Transfer Legislation

12 8.1. No bills granting or conveying Commonwealth land or
13 taking title thereto shall be reported by any committee of the
14 Senate unless there has been filed with the Secretary-
15 Parliamentarian and the Chairman of the Reporting Committee, a
16 memorandum from the Department of General Services indicating
17 the use to which the property is presently employed, the full
18 consideration for the transfer, if any, a departmental appraisal
19 of the property, including its valuation and a list of recorded
20 liens and encumbrances, if any, the use to which the property
21 will be employed upon its transfer, the date by which the land
22 is needed for its new use, and the senatorial district or
23 districts in which the land is located. The memorandum shall be
24 filed within 60 days after a request is made for same and
25 contain a statement by a responsible person in the Department of
26 General Services indicating whether or not the departments
27 involved favor the transfer which is the subject of the bill
28 under consideration.

29 Consideration - Second Regular Session

30 9. All bills, joint resolutions, resolutions, concurrent

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

7 Introduction

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

15 Character of Bills in Place - Et cetera

16 11. No Member shall read in place, nor shall any committee
17 report any bill for the action of the Senate, proposing to
18 legislate upon any of the subjects prohibited by Article III,
19 section 32 of the Constitution; nor shall any bill be read in
20 place or reported from a committee, reviving, amending,
21 extending or conferring the provisions of any law, by reference
22 to its title only, but so much of the law as is revived,
23 amended, extended or conferred shall be reenacted and published
24 at length by such bill.

25 Reference to Committee by President Pro Tempore

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

Printing of Amended Bills

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

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

First Consideration

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

Second Consideration

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

Third Consideration and Final Passage

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

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

(c) In obtaining the information required by these Rules,

1 the Appropriations Committee may utilize the services of the
2 Budget Office and any other State agency as may be necessary.

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

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

10 Appropriation Bills for Charitable Purposes

11 18. No bills appropriating money for charitable or
12 benevolent purposes shall be considered finally until after the
13 general appropriation bill shall have been reported from
14 committee.

15 Pre-Filing

16 19. Senators may, on days when the Senate is not in session
17 or in the period between sine die adjournment of a First Regular
18 Session and the convening of a Second Regular Session, introduce
19 bills, joint resolutions and resolutions by filing the same with
20 the Secretary-Parliamentarian of the Senate. The Secretary-
21 Parliamentarian of the Senate shall notify the President Pro
22 Tempore of the fact of such filing. The President Pro Tempore
23 shall refer the bills, joint resolutions and resolutions to the
24 appropriate committees as soon as possible but not later than
25 two weeks from the time of notification of filing. Upon
26 referral, the Secretary-Parliamentarian of the Senate shall
27 deliver said bills, joint resolutions and resolutions to the
28 committees to which they have been referred. The Secretary-
29 Parliamentarian of the Senate shall have the bills, joint
30 resolutions and resolutions printed for distribution and

1 notification of such filing shall be given to the Members and
2 news media in the usual manner.

3 20. Any Member of the Senate or Member-elect of the Senate
4 may file bills with the Secretary-Parliamentarian of the Senate
5 commencing on December 15 of each even-numbered year. The
6 Secretary-Parliamentarian of the Senate shall number the bills
7 in the order received; print and distribute such measures; and,
8 in the usual manner, give notification of such filing to the
9 Members and news media.

10 21. Upon the naming of the committees of the Senate at the
11 convening of a First Regular Session, the President Pro Tempore
12 shall refer all pre-filed measures to the proper committee,
13 announcing the number, sponsors and committee referred to the
14 Senate.

15 XIV AMENDMENTS

16 When in Order

17 1. Amendments shall be in order when a bill is reported or
18 re-reported from committee, on second consideration and on third
19 consideration. No amendments shall be received by the presiding
20 officer or considered by the Senate which destroys the general
21 sense of the original bill, or is not appropriate and closely
22 allied to the original purpose of the bill. Any Member, upon
23 request, must be furnished a copy of a proposed amendment and be
24 given a reasonable opportunity to consider same before being
25 required to vote thereon.

26 2. Amendments offered on the floor shall be read by the
27 clerk and stated by the presiding officer to the Senate before
28 being acted upon. Amendments shall be presented in ten
29 typewritten copies, the original of which shall be signed by the
30 Sponsor. No amendment may be considered by the Senate until the

1 Secretary-Parliamentarian of the Senate has posted the amendment
2 on the Internet website maintained by the Senate.

3 3. Amendments to bills or other main motions or questions
4 before the Senate may be tabled. When an amendment proposed to
5 any bill or other main motion or question before the Senate is
6 laid on the table, it shall not carry with it or prejudice the
7 bill, main motion or question. A motion to remove an amendment
8 from the table shall only be in order if the bill or other main
9 motion or question remains before the Senate for decision. The
10 motion to remove an amendment from the table is not debatable
11 and shall have the same precedence as the motion to amend.

12 Amendments Reconsidering-Revert to Prior Print

13 4. Amendments adopted or defeated may not be again
14 considered without reconsidering the vote by which said
15 amendments were adopted or defeated, unless a majority vote of
16 the Senators present shall decide to revert to a prior printer's
17 number. If such a motion is made to a bill on third
18 consideration and carried it shall not be in order to vote on
19 the final passage of said bill until a copy of the reverted
20 printer's number is placed on the Senators' desks.

21 Concurrence in House Amendments

22 5. (a) No amendments to bills by the House shall be
23 concurred in by the Senate, except by the vote of a majority of
24 the Members elected to the Senate, taken by yeas and nays.
25 (Const. Art. 3, Sec. 5)

26 (b) If a bill on concurrence contains an amendment which may
27 require the expenditure of Commonwealth funds or funds of a
28 political subdivision or cause a loss of revenue to the
29 Commonwealth or a political subdivision, the bill may not be
30 voted finally until a fiscal note reflecting the impact of the

1 amendment has been attached.

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

5 6. (a) Any bill or resolution containing House amendments
6 which is returned to the Senate shall be referred to the
7 Committee on Rules and Executive Nominations immediately upon
8 the reading of the message by the clerk. The consideration of
9 any bill or resolution containing House amendments may include
10 the amendment of House amendments by the Committee on Rules and
11 Executive Nominations. The vote on concurring in amendments by
12 the House to bills or resolutions amended by the House shall not
13 be taken until said bills or resolutions have been favorably
14 reported, as committed or as amended, by the Committee on Rules
15 and Executive Nominations and have been placed on the desks of
16 the Senators and particularly referred to on their calendars.

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

30 XV COMMITTEES

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

6 (b) The Majority Leader and the Minority Leader shall each
7 be an ex-officio member of the Committee on Appropriations and
8 shall not be included in the number of members of the committee
9 provided herein.

10 Committees' Function Between Sessions

11 3. Permanent standing committees shall exist and function
12 both during and between sessions. Such power shall not extend
13 beyond November 30th of any even-numbered year.

14 Subcommittees

15 4. Each standing committee or the chairman thereof may
16 appoint, from time to time, a subcommittee to study or
17 investigate a matter falling within the jurisdiction of the
18 standing committee or to consider a bill or resolution referred
19 to it. Subcommittees shall be regulated by the Senate Rules of
20 Procedure and shall be in existence for only that time necessary
21 to complete their assignments and report to their standing
22 committees. Their reports, whether favorable or unfavorable,
23 shall be considered by the standing committee.

24 Powers and Responsibilities

25 5. Permanent standing committees are authorized:

26 (a) To maintain a continuous review of the work of the
27 Commonwealth agencies concerned with their subject areas and the
28 performance of the functions of government within each such
29 subject area, and for this purpose to request reports from time
30 to time, in such form as the standing committee or select

1 subcommittee shall designate, concerning the operation of any
2 Commonwealth agency and presenting any proposal or
3 recommendation such agency may have with regard to existing laws
4 or proposed legislation in its subject area. The standing
5 committee or subcommittee is authorized to require public
6 officials and employees and private individuals to appear before
7 the standing committee or subcommittee for the purpose of
8 submitting information to it.

9 (b) In order to carry out its duties, each standing
10 committee or subcommittee is empowered with the right and
11 authority to inspect and investigate the books, records, papers,
12 documents, data, operation, and physical plant of any public
13 agency in this Commonwealth.

14 (c) In order to carry out its duties, each standing
15 committee or subcommittee may issue subpoenas duces tecum and
16 other necessary process to compel the attendance of witnesses
17 and the production of any books, letters or other documentary
18 evidence desired by such committee. The chairman may administer
19 oaths and affirmations in the manner prescribed by law to
20 witnesses who shall appear before such committee for the purpose
21 of testifying in any matter about which such committee may
22 desire evidence.

23 Notice of Meetings

24 6. (a) The chairman of a committee or subcommittee, or, in
25 the absence of the chairman, the vice-chairman with the approval
26 of the chairman, shall provide each Member of the committee with
27 written notice of committee meetings, which shall include the
28 date, time and place of the meeting and the number of each bill
29 which may be considered. During session notice of meetings of
30 standing committees may be published in the daily Calendar. If

1 notice of publication in the daily Calendar of standing
2 committee or subcommittee meetings has been ordered by a
3 committee chairman such information shall be delivered to the
4 Secretary-Parliamentarian's office in writing by the end of the
5 session on the day preceding its intended publication.

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

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

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

1 given during session.

2 8. Before any standing committee or subcommittee of the
3 Senate holds a meeting while the Legislature is in recess, a
4 notice of said meeting, stating date, time and place, shall be
5 filed with the Secretary of the Senate at least seven days prior
6 thereto.

7 Bills Recommitted

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

11 Public Meetings or Hearings

12 10. (a) The chairman of a standing committee may hold
13 hearings open to the public and in doing so shall make public
14 announcement of the date, the place, and the subject matter of
15 the hearing in ample time to permit participation by the public.
16 All subcommittees may hold public hearings with the permission
17 of the parent standing committee.

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

25 11. All permanent standing committees, and with permission
26 of the parent committee, subcommittees, may have their hearings
27 reported and transcribed if payment for such service is being
28 made from committee funds. The chairman shall contact the
29 Secretary-Parliamentarian to make arrangements for such
30 reporting and transcribing. However, if payment is expected to

1 be made from a source other than committee funds, approval must
2 be first obtained from the President Pro Tempore. The President
3 Pro Tempore shall notify the Secretary-Parliamentarian of the
4 Senate if permission is granted.

5 Subcommittee Reports

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

10 13. Such reports shall also reflect (a) the time and place
11 of the meeting at which the action was taken, (b) the name and
12 address of each person (if any) addressing the committee
13 relative to each measure and the interest represented (proponent
14 or opponent), and (c) the vote of each member of the
15 subcommittee on the motion to report each measure.

16 14. A subcommittee may not report a bill directly to the
17 Senate but must report it back to the parent committee, which in
18 turn shall be authorized to report to the Senate if it is so
19 ordered.

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

24 Quorum of Committee

25 16. A committee or subcommittee is actually assembled only
26 when a quorum constituting a majority of the members of that
27 committee is present in person. A majority of the quorum of the
28 whole committee shall be required to report any measure to the
29 floor for action by the whole Senate. Any measure reported in
30 violation of this Rule shall be immediately recommitted by the

1 President when it is called to the President's attention by a
2 Senator.

3 Discharging Committees

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

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

12 XVI COMMITTEE OFFICERS

13 Chairman - Ex-officio

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

18 Calling Committee to Order

19 2. The Chairman, or, if absent, the Vice-Chairman shall call
20 the committee to order at the hour provided by these Rules. Upon
21 the appearance of a quorum, the committee shall proceed with the
22 order of business. Any member of the committee may question the
23 existence of a quorum.

24 The Chairman Control of the Committee Room

25 3. The Chairman or, if the Chairman is absent, the Vice-
26 Chairman shall preserve order and decorum and shall have general
27 control of the committee room. In case of a disturbance or
28 disorderly conduct in the committee room, the Chairman or, if
29 the Chairman is absent, the Vice-Chairman may cause the same to
30 be cleared. The use of any cellular telephones or other

1 disruptive devices within any Senate committee room by other
2 than members of the Senate or their staffs is strictly
3 prohibited.

4 Chairman's Authority to Sign Notices, etc.

5 Decide Questions of Order

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

10 Vote of Chairman, Vice-Chairman

11 5. The Chairman and Vice-Chairman shall vote on all matters
12 before such committee provided that the name of the Chairman
13 shall be called last.

14 Temporary Designation of Alternate to Chairman

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

20 Performance of Duties by Vice-Chairman

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

26 Chairman's Duty to Report

27 8. The Chairman shall report any bill to the floor of the
28 Senate within four legislative days of the committee's vote to
29 report it.

30 XVII COMMITTEE MEMBERS

Members, Attendance, Voting

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

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

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

XVIII COMMITTEE VOTING

Taking the Vote

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

2. A vote in a standing committee to report a bill or resolution or a vote regarding an executive nomination shall be posted on the Internet website maintained by the Senate within 24 hours.

XIX MOTIONS IN COMMITTEES

1. All motions made in committee shall be governed and take

1 the same precedence as those set forth in these Rules.

2 XX CONFERENCE COMMITTEES

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

6 2. The deliberations of the committee shall be confined to
7 the subject of difference between the two Houses, unless both
8 Houses shall direct a free conference, and if their authority
9 has been exceeded it shall be the duty of the presiding officer
10 to call it to the attention of the Senate, which shall then
11 decide the question by a majority vote of those present.

12 Report of Conference Committee

13 3. (a) The report of a Committee of Conference shall be
14 prepared in triplicate by the Legislative Reference Bureau and
15 shall be signed by the members or a majority of the members of
16 the committee. Every report of a committee of conference shall
17 be printed together with the bill as amended by the committee,
18 placed on the desks of the Senators and particularly referred to
19 on their calendars before action shall be taken on such report.
20 No report of a Committee of Conference may be adopted by the
21 Senate until at least six hours have elapsed from the time of
22 adoption of the report by the Committee of Conference.

23 (b) A report of a Committee of Conference which requires the
24 expenditure of Commonwealth funds or funds of a political
25 subdivision or causes a loss of revenue to the Commonwealth or a
26 political subdivision shall have a fiscal note attached before
27 the report is voted finally.

28 Report of Conference Committee - Adoption

29 4. Reports of committees of conference shall be adopted only
30 by the vote of a majority of the Members elected to the Senate,

1 taken by yeas and nays. (Const. Art. 3, Sec. 5)

2 XXI VOTING

3 Must be Present and Vote

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

8 Harrisburg Assignment

9 (b) A Senator who is performing a legislative assignment in
10 the Harrisburg area (as defined in the Financial Operating Rules
11 of the Senate) on behalf of the body of the Senate and to which
12 the Senator was duly appointed by the Senate or the appropriate
13 officer thereof may be voted by the Senator's respective floor
14 leader. A specific reason must be given by the Senator and it
15 must be announced by the respective floor leader.

16 Legislative Leave

17 (c) A Senator who is performing a legislative assignment
18 outside of the Harrisburg area on behalf of the body of the
19 Senate and to which the Senator was duly appointed by the Senate
20 or the appropriate officer thereof may be voted by the Senator's
21 respective floor leader. A specific reason for the legislative
22 leave must be given in writing by the Senator and it must be
23 announced by the respective floor leader.

24 Personal or Private Interest

25 2. Senators who have a personal or private interest in any
26 measure or bill proposed or pending before the Senate shall
27 disclose the fact to the Senate, and shall not vote thereon.

28 Senators Must be Present

29 3. Every Senator shall be present within the Senate Chamber
30 during the sessions of the Senate, unless a Senator is on duty

1 delivered orally not to exceed five minutes.

2 Persons Allowed at Desk During Roll Call

3 6. No Senator or other person, except the majority or
4 minority leader or other persons designated by them, shall be
5 permitted at the Reading Clerk's desk during the recording,
6 counting or verification of a roll call vote.

7 Two-Thirds Vote

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

14 Majority Vote Defined

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

17 Majority Vote

18 9. When bills or other matters which require a vote of the
19 majority of Senators elected are under consideration, the
20 concurrence of a majority of all the Senators elected shall not
21 be requisite to decide any question or amendment short of the
22 final question; and, on any question short of a final one, a
23 majority of Senators voting shall be sufficient to pass the
24 same.

25 Announcement of Vote

26 10. Upon completion of a roll call vote or a voice vote the
27 result shall be announced immediately unless the majority or
28 minority leader requests a delay.

29 Explanation of Vote

30 11. Any Senator may, with the consent of the Senate, make an

1 explanation of a vote on any question and have the explanation
2 printed in the Journal.

3 Tie Vote

4 12. In the case of a tie vote, the President of the Senate
5 may cast a vote to break such tie so long as by doing so it does
6 not violate any provisions of the Constitution of Pennsylvania.
7 In the event there is a tie vote on a question requiring a
8 constitutional majority, the question falls.

9 Verifying Vote

10 13. Any Senator may demand a verification of a vote
11 immediately upon the completion of a roll call or after the
12 announcement of vote by the presiding officer. In verifying a
13 vote the Clerk shall first read the affirmative roll at which
14 time any additions or corrections shall be made. Upon the
15 completion and verification of the affirmative roll call, the
16 Clerk shall proceed with the reading of the negative roll at
17 which time any additions or corrections shall be made. Upon the
18 completion and verification of the negative roll call, the roll
19 call shall be declared verified. It shall not be in order for a
20 Senator to change a vote after the verified roll call is
21 announced. A demand for a verification shall not be in order
22 when all Senators vote one way. The demand for a verification of
23 a vote is not debatable.

24 Voice Vote

25 14. Unless otherwise ordered or demanded, a voice vote may
26 be taken. Any Senator who doubts the accuracy of a voice vote
27 may demand a roll call vote. Such request must be made
28 immediately upon the announcement of the vote by the presiding
29 officer and shall not be in order after other business has
30 intervened. The demand for a verification of a voice vote shall

1 not be in order.

2 XXII CORRESPONDENTS

3 Admission to Press Gallery -

4 Committee on Correspondents

5 1. Admission to and administration of the Press Galleries of
6 the Senate and House of Representatives shall be vested in a
7 Committee on Correspondents consisting of the President Pro
8 Tempore of the Senate, the Speaker of the House of
9 Representatives, or their designees; the Supervisor of the
10 Capitol Newsroom; the President of the Pennsylvania Legislative
11 Correspondents' Association, and the Executive Director of the
12 Pennsylvania Association of Broadcasters, or their designees.

13 Application to Press Gallery

14 2. Persons desiring admission to the press sections of the
15 Senate and House of Representatives shall make application to
16 the Chairman of the Committee on Correspondents. Such
17 applications shall state the newspaper, press association or
18 licensed radio or television station, its location, times of
19 publication or hours of broadcasting, and be signed by the
20 applicant.

21 Committee to Verify Statement

22 3. The Committee on Correspondents shall verify the
23 statements made in such application, and, if the application is
24 approved by the committee, shall issue a correspondent's card
25 signed by the members of the committee.

26 Exclusive Use of Gallery

27 4. The Gallery on the Senate floor assigned to newspaper
28 correspondents or recognized press association correspondents or
29 representatives of licensed radio and television stations,
30 systems or news-gathering agencies shall be for their exclusive

1 use and persons not holding correspondents cards shall not be
2 entitled to admission thereto. Representatives and employees of
3 State departments, boards, commissions and agencies, visitors
4 and members of the families of correspondents entitled to
5 admission to the press gallery shall, at no time, be permitted
6 to occupy seats or be entitled to the privilege of the press
7 gallery. Employees of the Senate may be permitted to occupy
8 seats and be entitled to the privilege of the press section of
9 the Senate Gallery when not in use by accredited press
10 representatives.

11 Photographs in Senate Chamber - Hearings

12 5. Accredited media photographers may be authorized by the
13 President Pro Tempore to take still photographs in the Senate,
14 and by the Speaker of the House to take still photographs in the
15 House of Representatives. Applications to take still photographs
16 at public hearings of committees must be approved by the
17 Committee Chairman or Co-chairman conducting such hearing.

18 Photographs - Notice to be Given

19 6. No still photographs shall be taken in the Senate or
20 House of Representatives during sessions, being at ease or
21 recessed, without prior notice to the Senators in the Senate or
22 the Representatives in the House of Representatives. When
23 possible, such notice shall be given at the beginning of the
24 session, at ease or recess, during which the still photographs
25 are scheduled to be taken.

26 Correspondents - Number Limited

27 7. No more than one representative of each newspaper, press
28 association or licensed radio or television station, system or
29 news-gathering agency shall be admitted to the press gallery at
30 one time. Members of the Pennsylvania Legislative

1 Correspondents' Association and representatives of licensed
2 radio and television stations, systems or news-gathering
3 agencies, assigned to the Senate and/or House of Representatives
4 on a daily basis shall have permanent assigned seating in the
5 press gallery with identification plates. Visiting
6 representatives of daily newspapers, press associations, Sunday
7 newspapers as well as radio and television stations, systems or
8 news-gathering agencies shall coordinate seating accommodations
9 with the supervisor of the Capitol Newsroom.

10 Order and Decorum of Press

11 8. Persons assigned to the press gallery on a permanent or
12 temporary basis shall, at all times, refrain from loud talking
13 or causing any disturbance which tends to interrupt the
14 proceedings of the Senate or House of Representatives.

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

19 10. Persons assigned to the press gallery on a permanent or
20 temporary basis wishing to confer with a Senator or
21 Representative shall disclose this fact by having a message
22 delivered by a Page to the Senator or Representative. Such
23 conversation shall be conducted off the floor of the Senate or
24 House of Representatives.

25 XXIII RADIO AND TELEVISION

26 1. Filming, videotaping, televising or broadcasting of
27 Senate sessions shall be permitted as provided in policy
28 directives developed and recommended by the Committee on
29 Management Operations. The policy directives recommended by the
30 Committee on Management Operations shall be submitted to the

1 Senate and shall become effective upon the approval of a
2 resolution by the Senate by the vote of a majority of the
3 Senators elected. Filming, videotaping, televising or
4 broadcasting of Senate sessions shall be prohibited prior to the
5 adoption of the policy directives.

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

12 XXIV RECORDS OF THE SENATE

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

16 XXV WHO PRIVILEGED TO THE

17 FLOOR OF THE SENATE

18 1. No person shall be admitted within the Senate Chamber
19 (galleries and press boxes excepted) during Senate sessions,
20 unless invited by an officer or the majority or minority
21 leaders. Such authorized staff shall be restricted to the area
22 immediate to the majority and minority leaders' desks and shall
23 be allowed to advise Members during debate only when such Member
24 is using the microphones at the leaders' desks.

25 Rear Entrance Closed During Session

26 2. No person or persons shall, during a session, be
27 permitted to enter through the rear door of the Senate Chamber
28 nor be present in the rooms immediately to the rear of the
29 Senate Chamber except Senators, officers and employees expressly
30 authorized.

1 Telephone Facilities

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

5 XXVI RULES

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

8 Dispensing with Rules

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

11 Altering, Changing or Amending - Vote

12 3. The consent of a majority of the Senators elected shall
13 be necessary to alter, change or amend these Rules.

14 Alterations, Changing or Amending - Resolution

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

18 XXVII MASON'S MANUAL OF LEGISLATIVE

19 PROCEDURE TO GOVERN SENATE

20 1. The Rules of Parliamentary Practice comprised in Mason's
21 Manual of Legislative Procedure shall govern the Senate in all
22 cases to which they are applicable, and in which they are not
23 inconsistent with the Standing Rules, Prior Decisions and Orders
24 of the Senate.

25 XXVIII QUORUM

26 Majority Constitutes a Quorum

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

30 When Less than a Quorum is Present

1 2. When, upon a call, which may be demanded by not less than
2 four Senators, it is found that less than a quorum is present,
3 it shall be the duty of the President to order the doors of the
4 Senate to be closed, and to direct the clerk to call the roll of
5 the Senate and note the absentees after which the names of the
6 absentees shall be again called, and those for whose absence no
7 excuse, or an insufficient excuse is made, may by order of a
8 majority of the Senators present be sent for and taken into
9 custody by the Sergeant-at-Arms, or assistant sergeants-at-arms
10 appointed for the purpose, and brought before the bar of the
11 Senate, where, unless excused by a majority of the Senators
12 present, they shall be reprovved by the President for neglect of
13 duty.

14 When Less than a Quorum Vote But Present

15 3. When less than a quorum vote upon any subject under the
16 consideration of the Senate, not less than four Senators may
17 demand a call of the Senate, when it shall be the duty of the
18 President forthwith to order the doors of the Senate to be
19 closed and the roll of the Senators to be called. If it is
20 ascertained that a quorum is present, either by answering to
21 their names, or by their presence in the Senate, the President
22 shall again order the yeas and nays; and, if any Senator or
23 Senators present refuse to vote, the name or names of such
24 Senator or Senators shall be entered on the Journal as "Present
25 but not voting." Such refusal to vote shall be deemed a
26 contempt; and, unless purged, the President shall direct the
27 Sergeant-at-Arms to bring such Senator or Senators before the
28 bar of the Senate, where the Senator or Senators shall be
29 publicly reprimanded by the President.

30 XXIX EXECUTIVE NOMINATIONS

Presentation and Reference

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

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

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

Information Concerning Nominations

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

1 Consideration

2 5. When the consideration of executive nominations is
3 reached in the order of business, a Senator may make a motion to
4 go into executive session for the purpose of confirming the
5 nominations which have been reported from committee; and on the
6 motion being agreed to, such nomination or nominations shall be
7 considered the first order of the day until finally disposed of,
8 unless the same shall be postponed by a majority of the Senate;
9 but such business when once commenced shall not be postponed for
10 more than five days, except in case of an adjournment of the
11 Senate for a longer period.

12 Executive Session

13 6. When in executive session, no message shall be received
14 from the Governor, unless it be relative to the nomination under
15 consideration, nor from the House of Representatives, nor shall
16 any other business be considered, except executive business, and
17 the executive session shall not adjourn pending the
18 consideration of the nomination until a time fixed by a majority
19 vote of those present for the next meeting of the executive
20 session to resume the consideration thereof.

21 Reconsideration

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

1 on a nomination may be laid on the table without prejudice to
2 the nomination.

3 XXX RESOLUTIONS

4 Introduction

5 1. All resolutions, Senate and concurrent, shall be
6 introduced by presenting ten copies thereof to the President.

7 Consideration

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

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

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

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

23 Printing in Senate History

24 3. Congratulatory and condolence resolutions shall be given
25 to the Secretary-Parliamentarian and shall be considered under
26 the order of unfinished business in the daily order of business.

27 4. All resolutions shall be adopted by a majority vote of
28 the Senators present except as specifically provided for in this
29 Rule.

30 Joint Resolutions

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

4 A joint resolution when passed by both Houses shall not be
5 transmitted to the Governor for his approval or disapproval but
6 shall be filed in the Office of the Secretary of the
7 Commonwealth in accordance with Article XI, Section 1 of the
8 Constitution of Pennsylvania.

9 XXXI LOUNGING IN THE SENATE PROHIBITED

10 1. The Secretary-Parliamentarian of the Senate shall cause
11 the doors of the Senate Chamber closed to all persons except
12 persons who are entitled under the Rule of the Senate; and the
13 Secretary-Parliamentarian shall call on any officer of the
14 Senate to aid him in enforcing this order; and on days when the
15 Senate is not in session the officers are hereby required to
16 strictly prohibit any lounging within the Senate Chamber by any
17 person not connected with the General Assembly, and that
18 henceforth no officer, nor any other person, be permitted to
19 occupy the seat of a Senator at any time; it shall be the duty
20 of the President to see that this Rule is enforced, and a
21 persistent disregard of it by any officer or employee shall be
22 cause of dismissal by the President.

23 XXXII VETO

24 Passing over Veto

25 1. When any bill is not approved by the Governor, he shall
26 return it with his objection to the House in which such bill
27 originated. Thereupon such House shall enter the objections upon
28 their Journal and proceed to reconsider it. If after such
29 reconsideration, two-thirds of all the Members elected to that
30 House shall agree to pass the bill, it shall be sent with the

1 objections to the other House by which likewise it shall be
2 reconsidered, and, if approved by two-thirds of all the members
3 elected to that House, it shall become a law. (Const. Art. 4,
4 Sec. 15)

5 2. A bill vetoed in a first regular session and not finally
6 acted upon may be brought up for consideration in a second
7 regular session.

8 XXXIII DIVISION OF A QUESTION

9 1. Any Senator may call for a division of a question by the
10 Senate if the question includes points so distinct and separate
11 that, one of them being taken away, the other will stand as a
12 complete proposition. The motion to strike out and insert is
13 strictly one proposition, and, therefore indivisible.

14 XXXIV SENATE EXPENDITURES

15 1. Counsel employed by a committee chairman or minority
16 chairman for the committee may not represent the committee
17 chairman or a member of the chairman's staff, or any member of
18 the committee or of a committee member's staff, in any private
19 legal proceeding while employed by the Senate. Nor may any
20 Senate funds be used to pay private legal counsel for any
21 Senator, officer or staff member.

22 XXXV COMMITTEE ON ETHICS AND OFFICIAL CONDUCT

23 1. In addition to the committees created by Rule XV, there
24 shall be a Committee on Ethics and Official Conduct which shall
25 be composed of six members appointed by the President Pro
26 Tempore. Three members shall be of the Majority Party and three
27 members shall be of the Minority Party. The Minority Party
28 members will be appointed on the recommendation of the Minority
29 Leader.

30 2. The President Pro Tempore shall appoint one of the

1 Majority Party members as Chairman and, on the recommendation of
2 the Minority Leader, one of the Minority Party members as Vice-
3 Chairman. A quorum for this committee shall be four members and
4 the committee shall have such duties, powers, procedure and
5 jurisdiction as are prescribed and authorized in this Rule.

6 3. The committee shall receive complaints against members,
7 officers and employees of the Senate alleging illegal or
8 unethical conduct or violation of any statute, Rule or
9 regulation governing the use of money appropriated to the
10 Senate. Any such complaint must be in writing, verified by the
11 person filing the complaint and must set forth in detail the
12 conduct in question and the section of the "Legislative Code of
13 Ethics" or the statute, Rule or regulation violated. The
14 committee shall make a preliminary investigation of the
15 complaint, and if it is determined by a majority of the
16 committee that a violation may have occurred, the person against
17 whom the complaint has been brought shall be notified in writing
18 and given a copy of the complaint. Within ten days after receipt
19 of the complaint, such person may file a written answer thereto
20 with the committee. Upon receipt of the answer, by vote of a
21 majority of the committee, the committee shall either dismiss
22 the complaint within ten days or proceed with a formal
23 investigation, which may include hearings, not more than twenty
24 days after notice in writing to the persons so charged. Failure
25 of the person charged to file an answer shall not be deemed to
26 be an admission or create an inference or presumption that the
27 complaint is true, and such failure to file an answer shall not
28 prohibit a majority of the committee from either proceeding with
29 a formal investigation or dismissing the complaint.

30 4. In addition to action on formal complaints as provided in

1 section 3, a majority of the committee may initiate a
2 preliminary investigation of a suspected violation of the
3 "Legislative Code of Ethics" or a violation of any other
4 statute, Rule or regulation governing the use of money
5 appropriated to the Senate by a Member, officer or employee of
6 the Senate. If it is determined by a majority of the committee
7 that a violation may have occurred, the person in question shall
8 be notified in writing of the conduct in question and the
9 section of the "Legislative Code of Ethics" or other statute,
10 Rule or regulation violated. Within ten days, such person may
11 file a written answer thereto. Upon receipt of the answer, by
12 vote of a majority of the committee, the committee shall either
13 dismiss the charges within ten days or proceed with a formal
14 investigation which may include hearings, not more than twenty
15 days after notice in writing to the person so charged. Failure
16 of the person charged to file an answer shall not be deemed to
17 be an admission or create an inference or presumption that the
18 charge is true, and such failure to file an answer shall not
19 prohibit a majority of the committee from either proceeding with
20 a formal investigation or dismissing the charge.

21 5. The chairman shall notify all members of the committee at
22 least twenty-four hours in advance of the date, time and place
23 of a regular meeting. Whenever the chairman shall refuse to call
24 a regular meeting, a majority of the committee may call a
25 meeting by giving two days' written notice to the Majority and
26 Minority Leaders of the Senate setting forth the time and place
27 for such meeting. Thereafter, the meeting shall be held at the
28 time and place specified in such notice.

29 The committee shall conduct its investigations, hearings and
30 meetings relating to a specific investigation or a specific

1 Member, officer or employee of the Senate in closed session and
2 the fact that such investigation is being conducted or is to be
3 conducted or that hearings or such meetings are being held or
4 are to be held shall be confidential information unless the
5 person subject to investigation advises the committee in writing
6 that he elects that such meetings or hearings shall be held
7 publicly: Provided, however, That whenever the committee is
8 conducting an investigation of an employee of the Senate the
9 committee shall inform the Senator or officer supervising such
10 employee of the investigation. In the event of such an election,
11 the committee shall furnish such person a public meeting or
12 hearing. All other meetings of the committee shall be open to
13 the public and notice of such meetings shall be given as
14 generally provided in these Rules for the convening of
15 committees.

16 In the event that the committee shall elect to proceed with a
17 formal investigation of the conduct of any Member, officer or
18 employee of the Senate, the committee may employ independent
19 counsel.

20 All constitutional rights of any person under investigation
21 shall be preserved, and such person shall be entitled to present
22 evidence, cross-examine witnesses, face the accuser, and be
23 represented by counsel.

24 The chairman may continue any hearing for reasonable cause,
25 and upon the vote of a majority of the committee or upon the
26 request of the person subject to investigation, the chairman
27 shall issue subpoenas for the attendance and testimony of
28 witnesses and the production of documentary evidence relating to
29 any matter under formal investigation by the committee. The
30 committee may administer oaths or affirmations and examine and

1 receive evidence.

2 6. All testimony, documents, records, data, statements or
3 information received by the committee in the course of any
4 investigation shall be private and confidential except in the
5 case of public meetings or hearings or in a report to the
6 Senate. No report shall be made to the Senate unless a majority
7 of the committee has made a finding of unethical or illegal
8 conduct or violation of the statutes, Rules and regulations
9 relating to Senate funds on the part of the person under
10 investigation. No finding of unethical or illegal conduct or
11 violation of the statutes, Rules and regulations relating to
12 Senate funds shall be valid unless signed by at least a majority
13 of the committee. Any such report may include a minority report.
14 No action shall be taken on any finding of illegal or unethical
15 conduct or violation of the statutes, Rules or regulations
16 relating to Senate funds, nor shall such finding or report
17 containing such finding be made public, sooner than seven days
18 after a copy of the finding is sent by certified mail to the
19 Member, officer or employee under investigation.

20 7. In the event the committee finds that a Member, officer,
21 or employee of the Senate has violated a statute, Rule or
22 regulation relating to use of Senate funds, the committee may
23 order such Member, officer, or employee to reimburse the Senate
24 for the funds wrongly expended and to take other remedial
25 action. If the Member, officer, or employee does reimburse the
26 Senate or take such other remedial action as may have been
27 required, no formal report shall be made to the Senate unless
28 the committee is requested in writing to file a formal report by
29 the Member, officer, or employee who is the subject of the
30 order. If the Member, officer, or employee fails to reimburse

1 the Senate or take the required remedial action within seven
2 days of receipt of the order, the committee, unless it shall, by
3 majority vote thereof, extend such time for good cause, shall
4 within seven days file its formal report with the Senate along
5 with its recommendation of action by the Senate to secure
6 reimbursement, effect the recommended remedial action, or
7 initiate appropriate disciplinary action.

8 Any Member, officer, or employee of the Senate who is the
9 subject of an order of reimbursement or remedial action may
10 appeal the committee's order to the Senate within seven days of
11 receipt of the order by filing notice thereof with the
12 Secretary-Parliamentarian of the Senate, who shall cause such
13 notice to be distributed to the Members of the Senate along with
14 a copy of the report of the committee involving such Member,
15 officer, or employee.

16 Notice of the appeal shall be placed on the Senate Calendar
17 and shall be acted on by the Senate within ten legislative days.
18 A vote by a majority of the Members elected shall be necessary
19 to sustain an appeal or modify the committee report or order;
20 otherwise it shall become effective and the Members, officers,
21 and employees of the Senate shall take such action as is
22 necessary to secure compliance.

23 8. The committee, whether or not at the request of a Member,
24 officer or employee concerned about an ethical problem or
25 question concerning the use of Senate funds relating to himself
26 alone or in conjunction with others may render advisory opinions
27 with regard to questions pertaining to legislative ethics,
28 decorum, or use of Senate funds. Such advisory opinions, with
29 such deletions and changes as shall be necessary to protect the
30 identity of the persons involved or seeking them, may be

1 published and shall be distributed to all members, officers and
2 employees of the Senate. No order for reimbursement or remedial
3 action may be made when the Member, officer, or employee has
4 relied on a written advisory opinion, whether addressed to him
5 or not, which is reasonably construed as being applicable to the
6 complained of conduct.

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

11 Any member of the committee breaching the confidentiality of
12 materials and events as set forth in this Rule shall be removed
13 immediately from the committee and replaced by another Member of
14 the Senate appointed in a like manner as said Member's original
15 appointment.

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

19 11. The committee may meet with a committee of the House of
20 Representatives to hold investigations or hearings involving
21 employees of the two Houses jointly, or officers or employees of
22 the Legislative Reference Bureau, the Joint State Government
23 Commission, the Local Government Commission, the Joint
24 Legislative Air, Soil and Water Conservation and Control
25 Commission, the Legislative Budget and Finance Committee and the
26 Legislative Data Processing Committee: Provided, however, That
27 no action may be taken at a joint meeting unless it is approved
28 by a majority of each committee.

29 12. The Legislative Audit Advisory Commission shall submit
30 copies of its reports to the committee which shall review them

1 and proceed, where appropriate, as provided in section 7.

2 13. Whenever the committee shall employ independent counsel
3 or shall incur other expenses pursuant to its duties under this
4 Rule, payment of costs of such independent counsel or other
5 expenses incurred by the committee pursuant to this Rule, shall
6 be paid by the Chief Clerk upon submission of vouchers and
7 necessary documentation which vouchers shall be signed by both
8 the chairman and vice-chairman of the committee. Included in
9 such allowable expense items shall be travel and per diem for
10 the members of the committee. The Chief Clerk shall pay such
11 expenses out of funds appropriated to the Chief Clerk for
12 incidental expenses.

13 XXXVI STATUS OF MEMBERS INDICTED OR CONVICTED
14 OF A CRIME

15 1. When an indictment is returned against a Member of the
16 Senate, and the gravamen of the indictment is directly related
17 to the Member's conduct as a committee chairman, ranking
18 minority committee member or in a position of leadership, the
19 Member shall be relieved of such committee chairmanship, ranking
20 minority committee member status, or leadership position until
21 the indictment is disposed of, but the Member shall otherwise
22 continue to function as a Senator, including voting, and shall
23 continue to be paid.

24 2. If, during the same legislative session, the indictment
25 is quashed, or the court finds that the Member is not guilty of
26 the offense alleged, the Member shall immediately be restored to
27 the committee chairmanship, ranking minority committee member
28 status, or leadership position retroactively from which he was
29 suspended.

30 3. Upon a finding or verdict of guilt by a judge or jury,

1 plea or admission of guilt or plea of nolo contendere of a
2 Member of the Senate of a crime, the gravamen of which relates
3 to the Member's conduct as a Senator, and upon imposition of
4 sentence, the Secretary-Parliamentarian of the Senate shall
5 prepare a resolution of expulsion under the sponsorship of the
6 Chairman and Vice-Chairman of the Senate Committee on Ethics and
7 Official Conduct. The resolution shall be printed and placed on
8 the Calendar for the next day of Senate session.

9 XXXVII STATUS OF OFFICERS OR EMPLOYEES INDICTED

10 OR CONVICTED OF A CRIME

11 1. Whenever any officer or employee of the Senate is
12 indicted or otherwise charged before a court of record with the
13 commission of a felony or a misdemeanor the gravamen of which
14 relates to the officer's or employee's conduct or status as an
15 officer or employee of the Commonwealth or the disposition of
16 public funds, such employee shall immediately be suspended
17 without pay and benefits by the Chief Clerk. After a finding or
18 a verdict of guilt by a judge or a jury, plea or admission of
19 guilt, or plea of nolo contendere, and upon imposition of
20 sentence, the employment shall be terminated.

21 2. If the indictment is quashed, or the court finds that the
22 officer or employee is not guilty of the offense alleged, the
23 suspension without pay shall be terminated, and the officer or
24 employee shall receive compensation for the period of time
25 during which the officer or employee was suspended which
26 compensation shall be reduced by the amount of any compensation
27 said officer or employee earned from other employment during the
28 period of suspension.

29 3. If the officer or employee or the supervising Senator of
30 such employee disagrees with the decision of the Chief Clerk as

1 to whether an indictment for particular conduct shall be a crime
2 requiring suspension or dismissal, the officer or employee in
3 question or the supervising Senator may appeal the suspension to
4 the Committee on Ethics and Official Conduct, which shall
5 determine whether the conduct charged is an offense requiring
6 suspension. Whenever an appeal of a suspension shall be taken to
7 the committee, the suspension shall remain effective pending a
8 decision by the committee.