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TUESDAY, JANUARY 6, 2015

SESSION OF 2015 199TH OF THE GENERAL ASSEMBLY

No. 1

SENATE

TUESDAY, January 6, 2015

The PRESIDENT. This is the constitutional day and hour for the convening of the 199th Regular Session of the General Assembly.

The PRESIDENT (Lieutenant Governor Jim Cawley) called the Senate to order at 12 m., Eastern Standard Time.

PRAYER

The Chaplain, Reverend THOMAS A. SWEET, Pastor of Market Square Presbyterian Church, Harrisburg, offered the following prayer:

Let us pray.

We begin, O God, with thanks and praise to You, for all we say and do is our response to what You first have done and provided for us. You have made us and we are Yours, and in Your grace and mercy we find the freedom to live our best lives. You have blessed those who deliberate and legislate in this Chamber with intellect, power, ability, and authority, but also honor, compassion, courage, and wisdom. May the latter be as much in evidence here as the former throughout the coming Session so that the people's hope may become the people's joy. May this be, O God, a government that does not pander, posture, or politicize but presents, promotes, and passes laws that are fair and equitable to all and just and generous for all. May there be a spaciousness in our thinking and governing that assures welcome and protection for every member of the Commonwealth family regardless of worldly condition. For if it does not happen here where decisions are made about people's lives, then where?

May our Senators and secretaries, our judges and janitors, our aides and administrators, all who serve the people in this place and on this hill, may they take to heart our prayers for them and their families as they are away from their homes. May they know of our confidence in them and may they experience, O God, Your encompassing care and abiding presence. May this be a Session for the ages, O God, in which this government is galvanized for the good of all and there is peace and prosperity in our Pennsylvania, for we ask and pray with gratitude and trust. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was recited by those assembled, led by the gentleman from York, Senator WAGNER.)

The PRESIDENT. The Chair thanks Reverend Sweet and Senator Wagner.

RECESS

The PRESIDENT. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, in order to allow time for Members delayed by the inclement weather to arrive safely here today, I request a recess of the Senate until 1 p.m.

The PRESIDENT. Without objection, the Senate stands in recess.

AFTER RECESS

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

ANNOUNCEMENT BY THE PRESIDENT

The PRESIDENT. For the safety of the Senators and their guests, and in compliance with the wishes of the State Fire Marshal, the Chair requests that those visitors without a seat please leave the Chamber in order to keep all exits clear. The Sergeant-at-Arms is hereby ordered to see that there are no standees in the Chamber.

Before proceeding any further, the Chair would like to announce that permission has been granted for photographers from each Caucus to take photographs and video during today's Session. Further, the Chair would like to request the cooperation of news photographers and others who would like to take pictures or videotape so that during each of the actual ceremonies there will be no picture taking. Those Senators who are sworn in are asked to please, at the conclusion of the actual administration of the oath of office, stay at the bar for a few moments for the convenience of any person who would like to take a picture at that time. The rest of us will be at ease during those few moments.

PRESENTATION OF ELECTION RETURNS

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present the Secretary of the Commonwealth, the Honorable Carol Aichele.

Ms. AICHELE. Good afternoon. I have the honor to present the returns and statements of campaign expense compliance for the offices of Governor, Lieutenant Governor, and Senator in the General Assembly for the election held November 4, 2014.

The PRESIDENT. The Chair thanks Secretary Aichele.

ELECTION RETURNS OF SENATORS

The PRESIDENT. The returns of the Senators will be read by the Clerk.

The Clerk read the election returns as follows:			FORTIETH SENATORIAL DISTRICT		
			Allegheny	Mario M. Scavello (Rep)	38,417
				Mark D. Aurand (Dem)	25,739
	SECOND SENATORIAL DISTRICT			FORTY-SECOND SENATORIAL DISTRICT	
Philadelphia	John J. Jenkins III (Rep)	9,464	Allegheny	Wayne D. Fontana (Dem)	53,080
	Christine M. Tartaglione (Dem)	35,405			
	FOURTH SENATORIAL DISTRICT			FORTY-FOURTH SENATORIAL DISTRICT	
Philadelphia	Robin Matthew Gilchrist (Rep)	16,498	Allegheny	John C. Rafferty, Jr. (Rep)	48,655
	Arthur L. Haywood III (Dem)	78,001		Kathi Cozzone (Dem)	30,597
	Ines Reyes (Ind)	1,355			
	SIXTH SENATORIAL DISTRICT			FORTY-SIXTH SENATORIAL DISTRICT	
Bucks	Robert M. Tomlinson (Rep)	45,361	Washington	Camera C. Bartolotta	36,697
	Kimberly Yeager-Rose (Dem)	27,997		Timothy J. Solobay	32,237
	EIGHTH SENATORIAL DISTRICT			FORTY-EIGHTH SENATORIAL DISTRICT	
Philadelphia	Anthony Hardy Williams (Dem)	58,547	Lebanon	Michael J. Folmer (Rep)	54,900
	TENTH SENATORIAL DISTRICT			FIFTIETH SENATORIAL DISTRICT	
Bucks	Charles T. McIlhinney, Jr. (Rep)	49,605	Mercer	Michele Brooks (Rep)	41,500
	Stephen George Cickay, Jr. (Dem)	34,967		Michael T. Muha (Dem)	21,701
	TWELFTH SENATORIAL DISTRICT		*Party Designation - (Dem)Democrat, (Rep)Republican, (Cst)Constitution, (Ref)Reform, (Lib)Libertarian, (VFC)Vote For Cash		
Montgomery	Stewart J. Greenleaf (Rep)	50,319	Whereupon, the following named persons were declared duly elected Senators in the General Assembly of the Commonwealth of Pennsylvania:		
	Ruth S. Damsker (Dem)	29,123			
	FOURTEENTH SENATORIAL DISTRICT		Second District—Christine M. Tartaglione		
Luzerne	John T. Yudichak (Dem)	41,980	Fourth District—Arthur L. Haywood III		
	SIXTEENTH SENATORIAL DISTRICT		Sixth District—Robert M. Tomlinson		
Lehigh	Patrick M. Browne (Rep)	36,745	Eighth District—Anthony Hardy Williams		
	Walter Felton, Jr. (Dem)	22,146	Tenth District—Charles T. McIlhinney, Jr.		
	EIGHTEENTH SENATORIAL DISTRICT		Twelfth District—Stewart J. Greenleaf		
Northampton	Lisa M. Boscola (Rep/Dem)	54,943	Fourteenth District—John T. Yudichak		
	TWENTIETH SENATORIAL DISTRICT		Sixteenth District—Patrick M. Browne		
Luzerne	Elisabeth J. Baker (Rep)	51,496	Eighteenth District—Lisa M. Boscola		
	TWENTY-SECOND SENATORIAL DISTRICT		Twentieth District—Elisabeth J. Baker		
Lackawanna	Arthur Joseph Albert (Rep)	21,213	Twenty-second District—John Patrick Blake		
	John Patrick Blake (Dem)	45,716	Twenty-fourth District—Robert Bruce Mensch		
	TWENTY-FOURTH SENATORIAL DISTRICT		Twenty-sixth District—Thomas J. McGarrigle		
Montgomery	Robert Bruce Mensch (Rep)	41,885	Twenty-eighth District—Scott R. Wagner		
	Jack Hansen (Dem)	28,041	Thirtieth District—John H. Eichelberger, Jr.		
	TWENTY-SIXTH SENATORIAL DISTRICT		Thirty-second District—Patrick J. Stefano		
Delaware	Thomas J. McGarrigle (Rep)	45,910	Thirty-fourth District—Jacob D. Corman III		
	John I. Kane, Sr. (Dem)	42,170	Thirty-sixth District—Ryan P. Aument		
	TWENTY-EIGHTH SENATORIAL DISTRICT		Thirty-eighth District—Rudolph P. Vulakovich		
York	Scott R. Wagner (Rep)	46,247	Fortieth District—Mario M. Scavello		
	Linda E. Small (Dem)	25,205	Forty-second District—Wayne D. Fontana		
	THIRTIETH SENATORIAL DISTRICT		Forty-fourth District—John C. Rafferty, Jr.		
Blair	John H. Eichelberger, Jr. (Rep)	52,042	Forty-sixth District—Camera C. Bartolotta		
	THIRTY-SECOND SENATORIAL DISTRICT		Forty-eighth District—Michael J. Folmer		
Fayette	Patrick J. Stefano (Rep)	36,670	Fiftieth District—Michele Brooks		
	Deberah L. Kula (Dem)	27,428			
	THIRTY-FOURTH SENATORIAL DISTRICT		STATEMENT BY THE PRESIDENT		
Centre	Jacob D. Corman, III (Rep)	46,391	The PRESIDENT. For the record, the Chair has been informed by the Secretary of the Commonwealth that all Senators-elect have filed in her office the accounts and affidavits that are required by election law.		
	THIRTY-SIXTH SENATORIAL DISTRICT				
Lancaster	Ryan P. Aument (Rep)	54,058			
	Gary J. Schreckengost (Dem)	20,686			
	THIRTY-EIGHTH SENATORIAL DISTRICT				
Allegheny	Rudolph P. Vulakovich (Rep)	58,599			

ADMINISTRATION OF OATH OF OFFICE TO REPUBLICAN SENATORS-ELECT

The PRESIDENT. The next order of business will be the administration of the oath of office to the elected and re-elected Republican Senators. It is my distinct honor and privilege to have with us today from the Supreme Court the Honorable Thomas G. Saylor. Justice Saylor has consented to come here today to administer the oath of office to our Republican Senators-elect and Officers in accordance with Article VI, Section 3, of the Constitution of Pennsylvania.

We will now proceed to the administration of the oath of office for Republican Senators-elect by Justice Saylor.

Will the Republican Senators-elect please present themselves in front of the rostrum with your Bibles.

Will everyone please rise.

I have the honor of presenting Justice Saylor, who will now administer the oath of office to the Republican Senators-elect.

Justice SAYLOR. Thank you.

Would you please place your left hand on the Bible, raise your right hand, and repeat after me:

I, (state your name), do solemnly swear or affirm that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity.

Congratulations.

(Applause.)

The PRESIDENT. I would invite everyone to please be seated while photographs are being taken.

(The Senate was at ease.)

ADMINISTRATION OF THE OATH OF OFFICE TO DEMOCRATIC SENATORS-ELECT

The PRESIDENT. The next order of business will be the administration of the oath of office to the Democratic Senators-elect. It is, again, an honor and privilege to have with us another distinguished member of the Supreme Court of Pennsylvania, the Honorable Max Baer. Justice Baer has kindly consented to be here today to administer the oath of office to our Democratic Senators-elect in accordance with Article VI, Section 3, of the Constitution of Pennsylvania.

Will all the Democratic Senators-elect please present themselves in front of the bar at the rostrum with your Bibles.

Please rise.

I have the honor now of presenting Justice Baer, who will administer the oath of office to the Democratic Senators-elect.

Justice BAER. Thank you.

Will you all place your left hand on the Bible, raise your right hand, repeat after me:

I, (state your name), do solemnly swear or affirm that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity.

Congratulations to you all.

(Applause.)

The PRESIDENT. Again, I invite you to please be seated while photographs are being taken.

(The Senate was at ease.)

QUORUM PRESENT

The PRESIDENT. The Clerk will now call the roll to determine if a quorum is present. Will the Senators please answer "present" when your name is called.

The Clerk called the roll, and the following Senators were present:

First District—Lawrence M. Farnese, Jr.
Second District—Christine M. Tartaglione
Third District—Shirley M. Kitchen
Fourth District—Arthur L. Haywood III
Fifth District—Michael J. Stack III
Sixth District—Robert M. Tomlinson
Seventh District—Vincent J. Hughes
Eighth District—Anthony Hardy Williams
Ninth District—Dominic F. Pileggi
Tenth District—Charles T. McIlhinney, Jr.
Eleventh District—Judith L. Schwank
Twelfth District—Stewart J. Greenleaf
Thirteenth District—Lloyd K. Smucker
Fourteenth District—John T. Yudichak
Fifteenth District—Robert F. Teplitz
Sixteenth District—Patrick M. Browne
Seventeenth District—Daylin Leach
Eighteenth District—Lisa M. Boscola
Nineteenth District—Andrew E. Dinniman
Twentieth District—Elisabeth J. Baker
Twenty-first District—Scott E. Hutchinson
Twenty-second District—John P. Blake
Twenty-third District—Gene Yaw
Twenty-fourth District—Robert B. Mensch
Twenty-fifth District—Joseph B. Scarnati III
Twenty-sixth District—Thomas J. McGarrigle
Twenty-seventh District—John R. Gordner
Twenty-eighth District—Scott Wagner
Twenty-ninth District—David G. Argall
Thirtieth District—John H. Eichelberger, Jr.
Thirty-first District—Patricia H. Vance
Thirty-second District—Patrick J. Stefano
Thirty-third District—Richard L. Alloway II
Thirty-fourth District—Jake Corman
Thirty-fifth District—John N. Wozniak
Thirty-sixth District—Ryan P. Aument
Thirty-eighth District—Randy Vulakovich
Thirty-ninth District—Kim L. Ward
Fortieth District—Mario M. Scavello
Forty-first District—Donald C. White
Forty-second District—Wayne D. Fontana
Forty-third District—Jay Costa, Jr.
Forty-fourth District—John C. Rafferty, Jr.
Forty-fifth District—James R. Brewster
Forty-sixth District—Camera C. Bartolotta
Forty-seventh District—Elder A. Vogel, Jr.
Forty-eighth District—Mike Folmer
Fiftieth District—Michele Brooks

The PRESIDENT. Forty-eight Senators having answered to their names, a quorum is present.

LEGISLATIVE LEAVE

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

Senator COSTA. Mr. President, I request a legislative leave for Senator Wiley.

The PRESIDENT. Senator Costa requests a legislative leave for Senator Wiley. Without objection, the leave will be granted.

LEAVE OF ABSENCE

Senator COSTA asked and obtained a leave of absence for Senator SMITH, for today's Session, for personal reasons.

STATEMENT BY THE PRESIDENT

The PRESIDENT. Before taking up the next order of business dealing with the election of the President pro tempore and several Officers of the Senate, the Chair would like to continue the practice started a few Sessions ago, that if there is only one candidate for each of the several offices, the Chair will dispense with the calling of the roll and ask for a voice vote on the nomination. Is there any objection? The Chair sees none.

ELECTION OF PRESIDENT PRO TEMPORE

The PRESIDENT. We will proceed with the next order of business before the Senate, which will be the election of the President pro tempore of the Senate for the 2015 Session. This is in accordance with Article II, Section 9, of the Constitution of Pennsylvania.

The Chair now opens the floor for nominations and recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, today is the beginning of a new year and a new legislative Session. I look around this Chamber and see many Members who are being sworn into the Senate for the first time. We welcome you and look forward to working with you. I clearly remember the feeling of excitement and pride and, yes, apprehension, when I took my first oath of office surrounded by my friends and family. You will never forget this day. Enjoy it, embrace your accomplishments, and be ready to work harder than you have ever imagined. Public service is the greatest honor and privilege, but it is not just a way of life, it is a way to live life fully. As we gather today, I feel a great sense of optimism and fellowship. Despite difficult challenges that we face in the months ahead and the tough issues that we must confront and solve together, Mr. President, Helen Keller once said, "Optimism is a faith that leads to achievement. Nothing can be done without hope and confidence." We are fortunate to have a Senate Leader who lives by these words and who has led us through many challenging times with his confidence, enthusiasm, and determination to do what is right.

Senator Joe Scarnati has set an example for all of us by building consensus, encouraging civility, and bringing common sense and integrity to this Chamber. Joe is a good listener, he is thoughtful and professional, and most importantly, he has proven to be an effective leader, something that is so important as we begin the new Session. His commitment to openness, accountability, and reform have been constant and unwavering. He leads by example, with confidence and a sincere belief that by working together we can make a difference for those who elected us. As we move from this day of celebration and optimism to the hard

work that lies ahead, I am proud to nominate a Senator like Joe Scarnati to serve as President pro tempore of the Pennsylvania Senate.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, I rise today to second the nomination of Senator Joseph Scarnati as President pro tempore of the Pennsylvania Senate. It has been my honor and privilege to offer seconding remarks for Senator Scarnati for the past several Sessions, and during those times I have talked with Joe as a friend. We have outlined issues and problems that we face as policymakers and as Leaders. Senator Scarnati has proven to be an excellent President pro tempore who has enabled our Chamber and all of our Members to move forward.

Mr. President, as it was stated by my colleague, today is a new day and the start of a new Session, and it is clear that the citizens of this Commonwealth, the Commonwealth of Pennsylvania, want action. They do not want government at the extremes. They want commonsense government crafted by lawmakers who use common sense. Today is a day for ceremony and to set the stage for what we do here over the course of the next couple of years. But, Mr. President, to see how we can move forward, it is often wise to look at what we have done and look at what we have said here on this Senate floor. I have taken the opportunity to review our past legislative Journals to gain additional insight into the qualities and traits of an effective President pro tempore. Mr. President, many speakers on this day have said that the President pro tempore must be fair and must be patient. Others have reminded us that the Senate is most effective when the President pro tempore has an understanding and possesses a willingness to listen to all sides. As Leaders of this body have recognized over the years, the ability of the Minority party to offer constructive ideas and to engage in key issues is critical to the effective functioning of this Senate.

Mr. President, 35 years ago, then Republican Senate Minority Leader Henry Hager said, and I quote, "The President pro tempore must possess some unusual traits and characteristics because he must resist the urges of his own Caucus for complete supremacy while dealing with the legitimate needs of the Minority Caucus." Mr. President, it is up to the President pro tempore to call the balls and strikes, to be the umpire who manages the flow of our Chamber, and who must resist the urge for complete supremacy.

As we know, oftentimes our passions have run deep here, but we cannot let passions of the time overcome the need to move this body forward. Unfortunately, Mr. President, there were times during last Session that passions oftentimes boiled over and we had contentious and very difficult issues to address. It was at that time that all of us needed to be mindful of why we were elected, and that getting results for our citizens is our responsibility. That was past history, Mr. President, and as we now know, we are condemned to repeat history if we do not learn from it. I stand here today and ask you to support Senator Joseph Scarnati for another term as President pro tempore because I believe that he possesses the wherewithal and the qualities to bring us together, to quiet roiling waters, and to smooth out problems and differences. The days of partisan bitterness have to be over and we need to bridge political divides that have kept us apart.

Mr. President, together we need to focus on growing jobs in our Commonwealth. Together we need to begin to refinance our educational system. Together we must begin to address the eroding of our social safety net, commit to repairing it for those who need it the most, and at the end of the day, we must all work together to close the gaping budget deficit with forward-looking policies or end up facing the negative investment for years to come.

Mr. President, democracy is hard and Commonwealth residents demand accountability, and we must set the bar high for ourselves. The Senate can be a very special place if we all work to understand and incorporate the points of views of others in our legislative discussions. We need to be careful not to allow the minority of the Majority to have their way each and every time. That is not how this institution is structured and that is not how we should allow this Chamber to operate. The secret to being an effective President pro tempore lies in the ability to let Members have their say. That is a fundamental principle of a legislative body in our democracy. That is why we need someone as President pro tempore who understands the history of this institution and how it works best. That is why we need a fair Leader to bring us together, and that is why we are fortunate to have that Leader in Senator Joe Scarnati.

Joe is in his fourth term in the Senate. He served this Commonwealth with distinction as the 31st Lieutenant Governor, and has worked for generations in the private sector. He has proven to be an honest, dedicated, experienced lawmaker who can unite factions behind a common goal. Mr. President, and my colleagues here today, today is a new day. We will soon have a new Governor and Lieutenant Governor, our very own Senator Mike Stack, who will bring with them new priorities. We owe it to them and we owe it to each other to work together and to succeed. It is my distinct honor and pleasure to second the nomination of our friend and our colleague, Senator Joe Scarnati, as President pro tempore for the 2015-16 Session of the Senate.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Lycoming, Senator Yaw.

Senator YAW. Mr. President, it is a pleasure to second the nomination of Senator Joseph Scarnati for the distinguished office of President pro tempore of the Senate of Pennsylvania. As we step back and look at where we are as a State, this is a time of tremendous transition. It is going to be a tough year with many challenges. Undoubtedly, we are going to need steady, capable leadership. On many occasions, Joe Scarnati has proven his ability to deal with challenges and work across the aisle in a bipartisan manner, build consensus without compromising principle, and create a foundation that is improving the lives of all Pennsylvanians. He has always shown respect for this institution. His courtesy to his colleagues and the staff on both sides of the aisle is well known and without question. This is rooted, I believe, in his deep concern for all of the people of this great Commonwealth. Referencing a comment by former Senator Noah Wenger, Joe once said, aisles are not for dividing, they are for walking down and reaching across.

Joe Scarnati and I have shared many common interests, not the least of which has been our mutual desire to help improve the rural counties which we represent. As a third-generation business owner, Joe brings a range of personal and professional experience to the Senate that allows him to relate to people from all

walks of life. He is widely admired for his intellect, sound judgment, and personal decency. Mr. President, it is for these reasons that I am pleased to second the nomination of my friend and colleague, Joe Scarnati, for the office of President pro tempore of the Pennsylvania Senate.

NOMINATIONS CLOSED

The PRESIDENT. Are there any further seconds to the nomination? Are there any further nominations? Third and final call. The Chair declares the nominations for President pro tempore closed.

The candidate for the office of President pro tempore is the Honorable Joseph B. Scarnati III of Jefferson County. All those in favor of the Honorable Joseph B. Scarnati III for President pro tempore will signify by saying "aye"; those opposed, "nay."

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

The PRESIDENT. The Chair declares Senator Joe Scarnati unanimously elected President pro tempore of the Senate.

(Applause.)

COMMITTEE APPOINTED TO ESCORT PRESIDENT PRO TEMPORE-ELECT TO THE ROSTRUM

The PRESIDENT. The Chair takes pleasure in appointing the following committee to escort the President pro tempore to the rostrum for the administration of the oath of office: the gentleman from Allegheny County, Senator Vulakovich; the gentlewoman from Westmoreland County, Senator Ward; and the gentlewoman from Philadelphia County, Senator Tartaglione. The committee will proceed to the performance of their duties.

(Whereupon, the President pro tempore-elect was escorted to the rostrum of the Senate.)

ADMINISTRATION OF OATH OF OFFICE TO PRESIDENT PRO TEMPORE-ELECT

The PRESIDENT. The oath of office will now be administered to Senator Scarnati by Justice Saylor.

Please rise.

Justice SAYLOR. Please place your left hand on the Bible, raise your right hand and repeat after me:

I, Joseph B. Scarnati III, do solemnly swear that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth, and that I will discharge the duties of my office with fidelity.

Congratulations.

(Applause.)

The PRESIDENT. Please be seated. The Senate will be at ease for some photographs.

(The Senate was at ease.)

REMARKS BY THE PRESIDENT PRO TEMPORE

The PRESIDENT. The Senate will come to order. Members and guests will please take their seats. It is now my honor and privilege to present your President pro tempore, the Honorable Joe Scarnati of Jefferson County.

The PRESIDENT pro tempore (Senator Joseph B. Scarnati III) in the Chair.

The PRESIDENT pro tempore. Thank you, Justice Saylor and Justice Baer, for being here with us today. As always, the kind words of Senator Corman, Senator Costa, and Senator Yaw, thank you so much for the words and friendship, and certainly some of your words will be longer than my remarks today.

I am honored to be a part of this Chamber and I thank each and every Member of the entire Senate for your support. I want to welcome the many guests who are here today, both on the floor and in the gallery; it is certainly a wonderful experience to walk on the floor and see so many fine people in support of the elected Members here in the Chamber. I want to welcome our re-elected colleagues, welcome back. Certainly, I want to welcome all of the new Members to the entire Commonwealth. We look forward to your service and look forward to working with all of you.

This body is steeped in tradition, and for each of us a source of pride we carry with us as we represent each of our Senate districts. Yes, we are here at the beginning of the new year and the start of the new legislative Session. This year brings with it significant changes and transitions across parts of the legislative, judicial, and executive branches of government. No doubt this budget is going to be just as challenging as the past few, and we will get through it. As we approach ways to balance the fiscal needs of our Commonwealth, we must insure that our schools have the tools they need to provide outstanding educational opportunities and safe learning environments for our children. Moving the State pension system more in line with the private sector is one of the most significant means we have to gain more revenue for needs like education. Senate Bill No. 1, the pension reform bill, is a top priority for this Session.

For the new Members and for the many veterans in this Chamber who asked how we move forward and approach issues of this Session, may I just offer a little bit of advice for your consideration. Be engaged and included with every single issue that this Chamber tackles. The votes you make on a bill will impact someone. Find out who that someone is before you vote. Be willing to offer the thoughts and talents that each of you brings here with you. Good ideas come from each of us, not just one Republican or one Democrat. Do not immediately oppose a bill because it is an easy vote. Being opposed to everything is easy. Offer an amendment. Get involved in the process. And once you do that, support the bill. And compromise. Compromise. In 90 percent of what we do here, we can find compromise. I am not saying compromise your principles, stand by those. But be willing to find a balance.

As we look ahead to the tough decisions and fiscal struggles that lie before us, we must also learn from our past successes. Over the past several years, Pennsylvania has worked to develop a strong business climate that has increased good, family-sustaining jobs across each and every one of our senatorial districts. Our policy of fiscal restraint and smart investments is showing clear dividends with the release of employment numbers from past months. When we look back at January 2011, our employment rate was 8.2 percent. Four years later, our unemployment rate stands at 5.1 percent, and it is the lowest in 6 years. With the right fiscal policies that we enact right here, we can go lower and we can do better. Supporting innovative and

emerging industries has clearly played a key role in reducing these unemployment rates. The Marcellus Shale industry has been a significant part of providing for greater economic growth throughout our Commonwealth. We need to work together to secure Pennsylvania's future but cannot neglect the focus on principles that are fueling Pennsylvania's clear economic resurgence.

Over the last several years, a great deal has been accomplished to develop a flourishing job climate, and that is with each of us in this room working together, but more can still be done. We must continue to enact policies and pass legislation that improve the family-sustaining jobs that we all want for our constituents, not stifle it. I look forward to working with each of you as we strive to make Pennsylvania a stronger State. I thank you for listening. I thank you for your support, and God bless. Thank you.

(Applause.)

The PRESIDENT (Lieutenant Governor Jim Cawley) in the Chair.

**GUESTS OF SENATOR JAKE CORMAN
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, as is custom in the Senate, we would like to welcome all of our guests from our districts, and obviously today it will be a little impossible timewise to get through all of the important family members and guests who are here, but I do want to recognize some current and former public officials. First of all, Mr. President, former United States Senator, former Presidential candidate, and, more importantly, former Republican Senate staffer, Rick Santorum, is with us here today.

(Applause.)

And Senator Santorum's boss, my predecessor in the State Senate, Senator J. Doyle Corman, is with us today.

(Applause.)

Former State Representative from the city of Allentown, Jennifer Mann.

(Applause.)

President Judge of the Superior Court, Judge Susan Gantman.

(Applause.)

And former United States Ambassador Martin Silverstein is with us.

(Applause.)

**GUESTS OF SENATOR JAY COSTA
PRESENTED TO THE SENATE**

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

Senator COSTA. Mr. President, I join my colleague, Senator Corman, the Majority Leader, in welcoming all of our friends who are here today and all of our colleagues. We want to thank you for participating in this very, very special day and hope you enjoy your time here today and the next couple of days in Harrisburg. Thank you very much for being a part of this. I would also like to introduce, Mr. President, a former colleague who now serves as a Commissioner of the Pennsylvania Turnpike Commission, our good friend, Senator Sean Logan.

(Applause.)

Mr. President, I always take great pride in introducing this next woman who served this Senate for many, many years, and I think many of us know the great accomplishments of our PUC Commissioner, our own Gladys Brown.

(Applause.)

Thank you, Mr. President.

ELECTION OF SECRETARY OF THE SENATE

The PRESIDENT. The next order of business before the Senate today is the election of the Secretary of the Senate. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, I have the pleasure today of placing before the Senate the name of Megan Totino Consedine to serve as Secretary of this body. Megan has served this position since 2012, becoming the first woman to hold this esteemed post. Megan is an honors graduate from the University of Delaware and Widener School of Law, where she also taught as an adjunct professor. She served as Deputy General Counsel in the Governor's Office, and as assistant counsel to the United States Navy before coming to the Senate. During this last 2-year Session, Megan has insured that the Senate was conducted in an open, orderly, bipartisan, and civil manner. I would like to thank Megan for her service, and it is my personal privilege to nominate Megan Totino Consedine to serve as Secretary of the Senate.

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

Senator WILLIAMS. Mr. President, if we could be at ease, I left my second page on my desk.

The PRESIDENT. Senator, I must say that I have never known you to be at a loss for words.

(The Senate was at ease.)

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

Senator WILLIAMS. This is a day of levity, compromise, and peace, Mr. President.

Mr. President, I rise to second the nomination of Megan Totino Consedine to serve as Secretary/Parliamentarian of the Pennsylvania Senate. Two years ago I rose for the same purpose as today, to second Megan's nomination, because I believed she had the credentials and qualifications to do an outstanding job. At the time, I recognized what she had accomplished prior to her arrival in this Chamber and I encouraged her to supervise the procedural operations of this esteemed body objectively and without prejudice. I believe she has done just that.

As the first woman to serve as Secretary of the Senate, she had the opportunity to forge new ground and set an example for those of us who will come after her. At the same time, she had before her the significant responsibility to enforce the rules of this Chamber in difficult times and when tension was in the air. There is no question that while the job before her remains difficult, I think it is very clear that Megan has the experience, expertise, and passion to continue serving as Senate Secretary. Not only does she understand the important role she plays, but most importantly, she has balanced her responsibilities well. I believe her professionalism and ability to stand firm during contentious debate illustrates the kind of person she is and what she is capa-

ble of doing in the future. I believe that Megan is fair, balanced, and honest. Let me add a caveat to that. Those of us who are suffering in this Chamber today because the Eagles are not in the playoffs and the Steelers are not in the playoffs, anybody who likes the Cowboys in this Chamber, Megan, you can officially rule against them every time. I do not care whether they are a Democrat or Republican, I will join with you at that moment.

For those reasons, it is without hesitation that I second the nomination of Megan Totino Consedine for Secretary/Parliamentarian of the Senate. I ask for an affirmative vote. Thank you.

NOMINATIONS CLOSED

The PRESIDENT. Are there any other seconds? Are there any other nominations? Third and final call. If not, the Chair will declare the nomination for Secretary of the Senate closed.

The candidate for the office of Secretary of the Senate is Megan Totino Consedine of Cumberland County. All those in favor of Megan Totino Consedine for the office of Secretary of the Senate please signify by saying "aye"; those opposed, "nay."

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

The PRESIDENT. The Chair declares Megan Totino Consedine unanimously elected Secretary of the Senate.

(Applause.)

ELECTION OF CHIEF CLERK OF THE SENATE

The PRESIDENT. The next order of business before the Senate is the election of the Chief Clerk of the Senate.

The Chair recognizes the gentleman from Beaver, Senator Vogel.

Senator VOGEL. Mr. President, I rise today to say a few words and to nominate Donetta D'Innocenzo. Donetta began her Senate career in 1984, and more recently has been our Senate Chief Clerk. I know in this role she will continue the policy of fiscal transparency and cooperation that Senate Leaders have instituted. She has a solid understanding of fiscal issues, respect for the institution, and the ability to work effectively in a bipartisan manner. I am proud to nominate Donetta D'Innocenzo as Chief Clerk of the Senate.

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

Senator FONTANA. Mr. President, I am honored to second the nomination of Donetta D'Innocenzo for Chief Clerk of the Senate. Since becoming Chief Clerk over a year ago, Donetta has served Members on both sides of the aisle with impartiality and has worked to protect the integrity of this Chamber. Donetta came to the position of Chief Clerk at a time that was far more difficult and challenging than any in recent history; ranging from efforts to cut costs to fielding Right-to-Know requests, Donetta's management has been invaluable to Members and staff.

Time and time again she has acted with the institution's best interests at heart and sought to address issues quickly, effectively, and efficiently. With nearly 30 years of experience in State government and government relations positions, Donetta has immense experience and knowledge. Mr. President, I am confident that Donetta D'Innocenzo will continue to serve this

Chamber with dignity, integrity, and honesty, and I am honored to second her nomination to another term as Chief Clerk of the Senate. Thank you.

NOMINATIONS CLOSED

The PRESIDENT. Are there any other seconds? Are there any other nominations? Are there any other nominations, third and final call? If not, the Chair will declare the nominations for Chief Clerk of the Senate closed.

The candidate for the office of Chief Clerk of the Senate is Donetta D'Innocenzo of Cumberland County. All those in favor of Donetta D'Innocenzo for the office of Chief Clerk will please signify by saying "aye"; those opposed, "nay."

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

The PRESIDENT. The Chair now declares Donetta D'Innocenzo unanimously elected Chief Clerk of the Senate.

(Applause.)

OATH OF OFFICE ADMINISTERED TO THE SECRETARY-ELECT AND THE CHIEF CLERK-ELECT

The PRESIDENT. The Secretary-elect and the Chief Clerk-elect will approach the bar of the Senate in order that the oath of office may be administered.

Once again, I call on Justice Saylor to administer the oath of office to our newly elected Officers.

Please rise.

Justice SAYLOR. Please place your left hand on the Bible and raise your right hand and repeat after me:

I, (Megan Totino Consedine and Donetta D'Innocenzo), do solemnly swear that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity.

Congratulations.

(Applause.)

SPECIAL ORDER OF BUSINESS SENATE RESOLUTIONS ADOPTED

Senators CORMAN and COSTA, by unanimous consent, offered **Senate Resolution No. 1**, which was read, considered, and adopted by voice vote:

A Resolution adopting Ethical Conduct Rules of the Senate.

(2015-2016)

ETHICAL CONDUCT RULES OF THE SENATE

Rule 1. Preliminary provisions.

As used in these rules, the following words and phrases shall have the meanings given to them in this rule unless the context clearly indicates otherwise:

"Campaign activity." An activity on behalf of a political party, candidate, political committee or campaign, which is intended to advance the interests of a specific party, candidate, political committee or campaign for elective office, including any of the following:

(1) Organizing a campaign meeting, campaign rally or other campaign event, including a fund-raiser where campaign contributions are solicited or received.

(2) Preparing or completing responses to candidate question-

naires that are intended solely for campaign use.

(3) Preparing a campaign finance report.

(4) Conducting background research on a candidate.

(5) Preparing or conducting a campaign poll.

(6) Preparing, circulating or filing a candidate nominating petition or papers.

(7) Participating in, preparing, reviewing or filing a legal challenge to a nominating petition.

(8) Preparing, distributing or mailing any campaign literature, campaign signs or other campaign material, including television and radio ads, website construction, e-mails, facsimiles and robocalls, on behalf of any candidate for elective office.

(9) Managing a campaign for elective office.

(10) Participating in, preparing, reviewing or filing any documents in any recount, challenge or contest of any election.

(11) Posting campaign-related information on a website, including social media websites.

"Campaign contribution." A monetary or in-kind contribution made to an electoral candidate campaign.

"Cash gift."

(1) Any of the following:

(i) United States or foreign currency.

(ii) A money order.

(iii) A check.

(iv) A prepaid debit or credit card.

(v) A gift card or certificate.

(2) The term does not include:

(i) An expenditure or other transaction subject to reporting under Article XVI of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code.

(ii) A commercial loan made in the ordinary course of business.

(iii) A transaction involving reasonable consideration of equal or greater value.

(iv) A cash gift from a parent, sibling, spouse, child, stepchild, stepparent, stepsibling, grandparent, grandchild, parent-in-law, sibling-in-law or other close relative when the circumstances make it clear that the motivation for the action was a personal or family relationship.

(v) A cash gift available to the public or offered to members of a group or class in which membership is not related to being a Senator or Senate employee.

(vi) An award or prize given to competitors in any contest or event open to the public, including random drawings.

"Commercial loan made in the ordinary course of business." A loan from a bank or other financial institution on terms generally available to the public.

"De minimis." An economic consequence which has an insignificant effect.

"Lobbyist." Any individual, firm, association, corporation, partnership, business trust or other entity that is registered as a lobbyist under 65 Pa.C.S. Ch. 13A (relating to lobbying disclosure).

"Newsletter." A printed document more than one page in length that addresses more than one subject and is printed in quantities of 25,000 copies or more.

"Official action." An administrative action or legislative action, as those terms are defined in 65 Pa.C.S. § 13A03 (relating to definitions).

"Official mailing lists." Any list containing individuals, companies or vendors, including names, addresses, telephone numbers or e-mail addresses that are procured, compiled, maintained or produced with Senate funds.

"Own time." A Senate employee's time that is distinct from Senate work time and includes all leave.

"Principal." Any individual, association, corporation, partnership, business trust or other entity that is registered as a principal under 65 Pa.C.S. Ch. 13A (relating to lobbying disclosure).

"Senate employee." A person employed by the Senate, including the Chief Clerk and the Secretary of the Senate.

"Senate employee in a supervisory position." A Senate employee who has a general supervisory role within: a caucus; an individual Senator's office; or a Senate services office.

"Senate office." All Senate offices and Senate conference or meeting rooms located in the Capitol complex or any similar space contained within a district office.

"Senate resources." Senate-owned or Senate-leased equipment

including telephones, computer hardware or software, copiers, scanners, fax machines, file cabinets or other office furniture, cell phones, personal digital assistants or similar electronic devices and office supplies.

"Senate work time." Publicly paid work time consisting in the aggregate of 75 hours every two weeks for full-time employees and a lesser amount of publicly paid hours every two weeks for part-time employees.

"Senator." A person elected to serve in the Pennsylvania Senate from each of the fifty Senatorial districts.

Rule 2. Practice.

(a) Work time.--No campaign activity may be conducted by a Senate employee on Senate work time. The following shall apply:

(1) Senate employees are permitted to engage in campaign activities on their own time, as volunteers or for pay.

(2) Senate employees may work irregular hours often depending upon the time the Senate is in session. As a result, a staffer's own time can occur during what may be considered "normal" business hours.

(3) Sick leave, family and medical leave, work-related disability leave, parental leave, short-term disability leave, civil leave or military leave cannot be requested by a Senate employee to perform campaign activities.

(4) No Senate employee may be allowed any amount of Senate work time for time spent doing campaign activities.

(5) Senate employees, with the permission of their employing Senator, may reduce their Senate hours with a commensurate reduction in pay (and benefits, as required) to perform campaign activities. These arrangements must be memorialized in writing and filed with the Chief Clerk.

(6) Any Senate employee who has reduced his or her Senate hours to perform campaign activities shall keep a daily written log outlining Senate hours and related work responsibilities.

(b) Office and resources.--No campaign activity may be conducted by a Senator or a Senate employee in a Senate office or with Senate resources.

(1) De minimis campaign activities may be unavoidable for a Senator or Senate employee in the course of their official duties. Examples include the following:

(i) In responding to inquiries from the public, a Senator or a Senate employee may need to address questions that relate to a Senator's or other person's campaign for elective office or a related legislative record.

(ii) Scheduling assistance and information from the Senator or a Senate employee may be provided to ensure that no conflict occurs among the Senator's campaign schedule, official schedule and personal schedule.

(iii) Engaging in political conversation in the natural course of personal communication.

(2) Unsolicited campaign-related communication on a personally owned cell phone, personal digital assistant or similar electronic device may occur on a de minimis basis in a Senate office but may not interfere with Senate work time.

(3) A Senator's official State website shall not contain a link to his or her campaign website. A Senator's campaign website shall not contain a link to his or her official State website. A Senate employee who is on Senate work time and using Senate resources may post legislative materials, media advisories, news releases and announcements on social media websites even if campaign-related information also exists on such a website. A Senate employee who is on his or her own time and using personal resources may post material involving or referring to campaign activity on a social media website.

(c) Contributions.--The solicitation or receipt of campaign contributions on Senate work time or with Senate resources is prohibited.

(1) Solicitation or receipt of campaign contributions in a Senate office or with Senate resources is prohibited at any and all times.

(2) If an unsolicited contribution is sent to a Senate office through the mail or in an unidentifiable form, the employee who receives it shall turn it over to the campaign and notify the donor that campaign contributions should not be received at a Senate office within no more than seven days.

(3) No Senate employee may serve as an officer on a campaign committee or a campaign finance committee on behalf of any Senator, Senate candidate or Senate caucus.

(4) A Senate employee may help plan and may provide assistance at a campaign event on his or her own time.

(d) Employees.--No Senate employee may be required to perform any campaign activity or make any campaign contribution.

(1) No Senator, no Senate employee acting on the Senator's behalf and no Senate employee in a supervisory position may require a Senate employee to perform any campaign activity on Senate work time or on the employee's own time as a condition of employment.

(2) No Senator, no Senate employee acting on the Senator's behalf and no Senate employee in a supervisory position may require any Senate employee to make a campaign contribution as a condition of employment.

(3) A Senate employee who agrees or offers to participate in any campaign activity on his or her own time or who makes a campaign contribution may not do so in consideration of receiving any additional Senate compensation or employee benefit in the form of a salary adjustment, bonus, compensatory time off, continued employment or any other similar benefit.

(4) A Senate employee who declines to participate in a campaign activity or to make a campaign contribution shall not be sanctioned for that refusal.

(e) Newsletters.--No Senate-funded newsletter may be printed or distributed within 60 days of the primary or general election for any Senate member running for the office of Senate or any other elective office.

(1) This subsection shall apply to newsletters printed by the Senate or by an outside vendor paid for with public funds.

(2) The Chief Clerk of the Senate may not authorize the reimbursement or payment of any moneys expended for print, distribution or postage incurred after the 60-day deadline.

(3) Senators running for the office of the Senate or any other elective office shall submit to the Secretary of the Senate a final proof copy of any newsletters no less than 90 days prior to a primary or general election.

(f) Official Senate mailing lists.--Official Senate mailing lists shall be used solely for legislative purposes.

(1) Official Senate mailing lists shall not be provided to any candidate, political party, political committee, campaign or campaign committee or used for any campaign purpose.

(2) Senate computers shall not be used to create, store or maintain any mailing list that identifies the listed individuals as campaign volunteers or contributors to any candidate, political party, political committee, campaign or campaign committee.

(3) No list may be developed by a Senator or a Senate employee for the purpose of monitoring or tracking campaign activity or campaign contributions of any Senate employee.

(4) Mailing lists may be purchased at fair market value from a private source with Senate funds if the lists are used solely for legislative purposes. A mailing list that is so acquired may not be used or redirected in the same or a modified form for campaign purposes.

(g) Nonwork-related tasks.--No Senate employee may be required to perform any nonwork-related task.

(1) No Senator, no Senate employee acting on the Senator's behalf and no Senate employee in a supervisory position may require a Senate employee to perform tasks unrelated to the Senate employee's official duties as a condition of employment.

(2) An employee who agrees or offers to perform a task unrelated to that person's official duties on his or her own time may not do so in consideration of receiving any additional State Senate compensation or employee benefit in the form of a salary adjustment, bonus, compensatory time off, continued employment or any other public benefit.

(3) An employee who refuses to perform a task unrelated to that person's official duties cannot be sanctioned for that refusal.

(h) Cash gifts.--No Senator or Senate employee shall accept or solicit a cash gift from any of the following:

(1) A lobbyist or principal.

(2) A person that is seeking official action from the Senator or Senate employee.

Rule 3. Enforcement.

(a) Standardized process.--There shall be a standardized process for reporting any alleged violation of these rules.

(1) A Senator or an employee who becomes aware of a violation of these rules should report the violation to any of the following:

(i) A Senator.

(ii) The President Pro Tempore, or an appropriate

designee.

(iii) The Majority Leader of the Senate, or an appropriate

designee.

(iv) The Minority Leader of the Senate, or an appropriate

designee.

(v) The employee's supervisor.

(vi) The Secretary of the Senate.

(2) A verbal report by an employee is acceptable but must be followed up with a written statement that includes the date, time and place, names of possible witnesses and the nature of the ethical conduct violation. The written statement must be signed by the employee.

(3) Upon receipt of the written statement pursuant to paragraph (2), the person to whom the violation is reported as provided in paragraph (1) shall forward a copy of the written statement within five business days to the Secretary of the Senate or the Chief Clerk if the alleged violation involves the Secretary of the Senate or a person in the Secretary of the Senate's Office.

(4) A report of a possible violation of these rules must be filed within one year of the alleged conduct.

(b) Inquiry.--An inquiry and review of all properly submitted reports regarding an alleged violation of these rules shall be conducted.

(1) The Secretary of the Senate shall conduct a preliminary inquiry of any written statement forwarded under subsection (a)(3). The subject of the report shall be notified within five business days by the Secretary of the Senate that a written statement has been forwarded to the Secretary's office under subsection (a)(3). The Secretary of the Senate shall also notify the President Pro Tempore, the Majority Leader and the Minority Leader within five business days that a written statement has been forwarded to the Secretary's office under subsection (a)(3). The Secretary of the Senate shall have 14 business days from the date of those notifications to complete a preliminary inquiry and determine whether there is more than a de minimis violation of these rules and whether there is a satisfactory basis for the initiation of a formal investigation and shall report that recommendation to the President Pro Tempore, the Majority Leader and the Minority Leader. If the Secretary of the Senate or a person in the Secretary of the Senate's office is the subject of an alleged violation, the responsibilities under this subsection shall be performed by the Chief Clerk of the Senate.

(2) After receiving a recommendation from the Secretary of the Senate under paragraph (1) that a formal investigation is warranted, if the subject is a Senator, the President Pro Tempore, the Majority Leader and the Minority Leader shall proceed to refer the report to the Senate Committee on Ethics for an investigation by that committee in accordance with Rule 34 of the Rules of the Senate of Pennsylvania. The provisions of Rule 34 of the Rules of the Senate of Pennsylvania shall exclusively govern and apply in their entirety to any further proceeding involving a Senator under this rule.

(3) After receiving a recommendation from the Secretary of the Senate under paragraph (1) that a formal investigation is warranted, if the subject is a Senate employee, the President Pro Tempore, the Majority Leader and the Minority Leader shall proceed to obtain the services of an independent third party to conduct a formal investigation. Upon completion of the investigation, a report shall be prepared containing findings of fact and a conclusion as to whether a violation of these rules has occurred.

(4) After reviewing the findings of fact and the conclusion contained in the report prepared pursuant to paragraph (3) regarding a Senate employee, the President Pro Tempore, the Majority Leader and the Minority Leader shall issue a final determination by unanimous vote regarding all of the following:

(i) Whether a violation of these rules by a Senate employee has occurred.

(ii) Whether a sanction regarding that violation by a Senate employee is warranted.

(iii) If a sanction is deemed warranted, the type of sanction that should be imposed.

(iv) When and how the sanction should be imposed.

(5) During the course of an investigation of a Senate employee by the independent third party designated pursuant to paragraph (3), the subject shall have the opportunity to be heard, to present evidence, to cross-examine witnesses and to be represented by counsel.

(6) Prior to the issuance of a final determination under paragraph (4), the subject shall have an opportunity to submit a written presentation prepared by either the subject or the subject's counsel.

(7) All proceedings under this rule shall be confidential unless otherwise waived in writing by the subject of the proceeding.

(8) If the President Pro Tempore, the Majority Leader or the Minority Leader is the subject of a report, is a witness or if for any reason is unavailable, the duties of the member shall be performed by the Senate Whip of the respective caucus.

(9) Retaliation against any Senate employee who files a written statement in good faith under subsection (a)(3) or who testifies in good faith regarding an alleged violation of these rules is prohibited.

(c) Disciplinary action.--A violation of these rules may subject a Senate employee to disciplinary action that, depending on the circumstances of the violation, may include any of the following:

(1) A warning.

(2) A written reprimand.

(3) A permanent disciplinary action noted in the personnel record.

(4) Restitution for damages.

(5) Suspension of employment.

(6) Termination of employment.

(d) Sanction.--A violation of these rules may subject a Senator to sanction by the full Senate and, depending on the circumstances of the violation, may include any of the following:

(1) A warning.

(2) A written reprimand.

(3) Restitution for damages.

(4) Any other sanction provided for under the Rules of the Senate of Pennsylvania or the Constitution of Pennsylvania.

Rule 4. Filing of financial interest statement.

(a) Compliance.--Compliance with the financial interest statement requirements and all other requirements under the Public Official and Employee Ethics Act, 65 Pa.C.S. Ch. 11 (relating to ethics standards and financial disclosure), shall be mandatory for all Senators and Senate employees who meet the criteria set forth in subsection (d) or (e).

(b) Time.--Financial interest statements covering the previous calendar year must be filed by May 1 of each year for every Senator and those Senate employees who make purchasing decisions or other official decisions or provide input that can influence a purchase or official decision.

(c) Location.--Senators must file their financial interest statements with the Secretary of the Senate, the Ethics Commission and any governmental agency, authority, board or commission on which they serve. Affected Senate employees must file their financial interest statements with the Secretary of the Senate.

(d) Required filing for official nonministerial action.--Filing a financial interest statement shall be required for employees who are responsible for taking or recommending official nonministerial action concerning any of the following:

(1) Contracting or procurement.

(2) Administering or monitoring grants or subsidies.

(3) Planning or zoning.

(4) Inspecting, licensing, regulating or auditing any person.

(5) Any other activity where the official or recommended action has an economic impact of more than a de minimis nature on the interests of any person. For most employees on a Senator's staff or in a caucus office, this category would be most applicable, since recommending "official action" to a Senator as part of job responsibilities triggers the duty to file a financial interest statement. Official action would relate to a Senator's lawmaking duties especially as that relates to legislation and confirmations.

(e) Required filing for recommendations.--A financial interest statement must be filed if a Senate employee's responsibility includes making a recommendation to a Senator as to any of the following:

(1) Advice regarding how to vote on the Floor or in Committee.

(2) The potential consideration of bills, resolutions, amendments to bills or resolutions or nominations in Committee.

(3) The drafting and preparation of legislation or resolutions, and any amendments to bills or resolutions, including advice on decisions regarding bill or resolution sponsorships.

(f) Applicability.--The requirement to file a financial interest statement shall apply to executive directors, counsels or any Senate employee responsible for a Committee and to Senate chiefs of staff. Executive, administrative and legislative assistants may be subject to the filing requirements depending on the nature and scope of the individual's

employment responsibilities.

(g) Personal point of view.--A Senate employee who does nothing more than occasionally share a personal point of view with a Senator is not required to file a financial interest statement. In most cases, a Senate employee with job responsibilities not directly related to the actual lawmaking process, such as correspondence or scheduling, does not need to file a financial interest statement.

(h) District office.--A Senate employee assigned to a district office shall be subject to the same filing requirements as a Harrisburg-based Senate employee depending on the nature of that individual's employment responsibilities.

Rule 5. Training.

To assure compliance with these rules and other laws related to ethical behavior by Senators and Senate employees, appropriate training measures shall be implemented by the Senate. Training shall be provided annually for all Senators and Senate employees on various topics, which shall include, but are not limited to, all of the following:

(1) These rules.

(2) The Public Official and Employee Ethics Act, 65 Pa.C.S. Ch. 11 (relating to ethics standards and financial disclosure).

(3) 65 Pa.C.S. Ch. 13A (relating to lobbying disclosure).

Rule 6. Rules.

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

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

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

Senators CORMAN and COSTA, by unanimous consent, offered **Senate Resolution No. 2**, which was read, considered, and adopted by voice vote:

A Resolution adopting Financial Operating Rules of the Senate.

(2015-2016)

FINANCIAL OPERATING RULES OF THE SENATE

Rule 1. Personnel.

(a) Central office.--The office of the Chief Clerk of the Senate shall serve as the central office of the Senate for all personnel and payroll matters.

(b) Employees of the Senate.--

(1) Personnel files.--Before any individual is placed on any payroll of the Senate, there must be in the office of the Chief Clerk a payroll file containing:

(i) Full name of employee.

(ii) Full address.

(iii) Date of employment or job transfer.

(iv) Actual functional job title or description to include general hours of work, general job responsibilities and job location.

(v) The name of the Senator or Officer responsible for monitoring the employee's performance.

(vi) Letter of appointment signed by the authorizing Senator or Officer including a delineation of the account from which the employee is to be paid.

(vii) The current compensation level with signature approval of the authorizing Senator or Officer. Overtime payments may be authorized only in emergency maintenance and security situations with the signature approvals of the Senator or Officer responsible for monitoring performance, the authorizing Senator or Officer and the President Pro Tempore.

(viii) All information necessary for tax withholding and benefit eligibility.

(ix) Employment Eligibility Verification Form.

(2) Maintenance.--It is the responsibility of the Chief Clerk to develop procedures necessary to maintain this payroll file information on a current basis. All payroll changes shall be reflected by the next appropriate payroll period providing said change is received in the

office of the Chief Clerk prior to processing of the payroll.

(3) Reclassification of employees.--Any reclassification of employees under the Senate of Pennsylvania Pay Management Plan shall be submitted by the Senator or Officer authorizing such reclassification to the Senate Committee on Management Operations for approval or disapproval. The Senate Committee on Management Operations is authorized to establish a bi-partisan subcommittee to consider and approve or disapprove all such requests subject to an appeal by the Senator or Officer for consideration of the reclassification by the Senate Committee on Management Operations.

(c) Contract for services.--

(1) Files for service contracts.--For any person retained on a contractual basis by any Officer or Senator to provide services, there shall be in the office of the Chief Clerk a file containing:

(i) A copy of the contract signed by the authorizing Senator or Officer including:

(A) Full name, address and Federal tax identification number of the contractor.

(B) Duration of the contract.

(C) Maximum cost of the contract and terms of payment.

(D) Clear, detailed description of the type of service to be performed or product to be delivered.

(ii) The name of the Senator or Officer responsible for monitoring the contractor's performance.

(iii) Additional information as required by policies of the Senate Committee on Management Operations.

(2) Limitation on contracts.--Except as authorized by policies of the Senate Committee on Management Operations, no contract may extend beyond the expiration of the term of office of the Senator.

(3) Contract review.--All contracts for services shall be submitted to the Chief Clerk for review and approval regarding conformity with applicable laws, rules and policies adopted by the Senate Committee on Management Operations.

(4) Payment.--Payments under contract shall be made in accordance with provisions of the contract provided that a voucher for such payment is received in the office of the Chief Clerk before the applicable processing deadline. Contractor performance shall be reviewed by the monitoring individual designated pursuant to paragraph (1)(ii), who under conditions of satisfactory performance and conformity to the contract shall approve the voucher prior to processing.

(d) Authorized accounts.--Salaries, wages and related benefits shall be paid from accounts so authorized by the General Appropriation Act. All accounts may pay expenses related to contracts for services.

Rule 2. Travel allowances and reimbursements.

(a) Senator travel.--Travel allowances or reimbursements may be paid to a Senator who is engaged in travel in the performance of legislative duties. Except as provided in subsection (c), Senators are not authorized to lease vehicles on a long-term basis and no payments will be made with respect to long-term lease vehicle expenses incurred by Senators. Travel payments may be claimed in connection with the following:

(1) Mileage between home district and Harrisburg for attendance at a session of the Senate.

(2) Round trip travel between home district and Harrisburg for other legislative activities.

(3) All travel in the Commonwealth for legislative business.

(4) All travel to attend committee meetings, hearings, conferences and seminars.

(b) Employee travel.--Travel reimbursement may be paid to employees engaged in travel from their work place to the place of legislative business provided that the travel is necessary for the performance of official business. Except as provided in subsection (c), employees are not authorized to lease vehicles on a long-term basis, and no payments will be made with respect to long-term lease vehicle expenses incurred by employees. When away from the Harrisburg area and from their workplace, employees may, subject to approval of the supervising Senator or officer, rent cars on a short-term basis for a period not in excess of that needed to carry out official business.

(c) Rental of vehicle or conveyance.--

(1) Short-term rental of vehicle or conveyance.--A Senator whose Senate-provided leased vehicle is unavailable may be reimbursed the actual legislative percentage expenses for a short-term rental. A Senator or employee who rents a vehicle or conveyance on a short-term

basis, other than a Senator's temporary replacement of a Senate-provided leased vehicle, may be reimbursed only on an actual cost basis for the legislative percentage of rental payments and expenses of operation.

(2) Vehicle rental by Chief Clerk.--The Chief Clerk is authorized to lease such vehicles as deemed necessary by the Senate Committee on Management Operations for the operation of the Senate. The actual expenses of the lease and operation shall be paid by the Senate's Incidental Expense Account. The Chief Clerk is also authorized to enter into a master lease agreement with the Department of General Services for the long-term lease of automobiles to be used by Senators. Rules relating to the payment of expenses relating to vehicles leased through the Department of General Services to be used by Senators shall be promulgated by the Senate Committee on Management Operations.

(d) Allowable transportation expenses.--

(1) Common or chartered carrier.--A Senator or employee may be reimbursed for reasonable actual costs of carriage when traveling by common or chartered carrier, including expenses for parking, taxis, limousines and tolls. Claims for payment based on miles traveled cannot be paid.

(2) Personal vehicle or conveyance.--A Senator or employee who uses a personal vehicle may be reimbursed on such mileage basis as may be established by the Senate Committee on Management Operations. Reimbursement for use of other noncommercial vehicles or non-commercial aircraft shall be made on such basis as may be established by the Senate Committee on Management Operations.

(3) Out-of-State travel.--

(i) Nonmember Officers of the Senate and their employees may claim expenses for travel outside the Commonwealth, provided that such travel is approved in the manner described in Rule 11. All claims for Senators' and employees' travel outside the Commonwealth shall be filed with the Office of the Chief Clerk in the manner described in Rule 11.

(ii) Senators may claim ordinary and necessary expenses for travel outside the Commonwealth provided that the travel is necessary to attend a conference, seminar or meeting regularly or specially scheduled by an organization which conference, seminar or meeting has a legislative purpose. Senators shall submit a copy of a registration and agenda, in addition to any other documentation required by these rules.

(iii) Senators may also claim ordinary and necessary expenses for travel outside the Commonwealth when the travel has a legislative purpose, but is not for attending a conference, seminar or meeting, provided the purpose is approved by the Senate Committee on Management Operations, and provided further that approval is not required for legislative business in Washington, DC.

(4) No duplication.--If a Senator or employee is entitled to reimbursement from more than one source for legislative business performed on behalf of more than one committee or group, payment shall be received from only one source.

(e) Documentation.--

(1) Expense voucher.--All requests for travel payments must be made on an expense voucher showing:

(i) Dates of travel.

(ii) Legislative purpose of travel described in reasonable specificity. Claims for out-of-State travel shall also include such information as may be required under subsection (d)(3).

(iii) The number of miles traveled when claiming reimbursement on a mileage basis. Such mileage claims also should reflect an itinerary including point of origin, furthest destination, and intermediate points and the legislative purpose of the trips.

(2) Receipts.--Receipts must be submitted to support the cost associated with claims for:

(i) Travel by common or chartered carrier.

(ii) Leased vehicle or conveyance operation. Receipts for gasoline and maintenance shall include the license number of the vehicle and the location of the purchase. In addition, a copy of such lease must be on file with the Office of the Chief Clerk.

(iii) Parking, limousine, toll charges and other miscellaneous incidental items when any of these items exceed \$25.

(f) Authorized accounts.--Travel payments can be made from any of the following accounts. Long-term vehicle or conveyance rental payments may be made from all accounts except paragraph (5). Authorized accounts are:

(1) Appropriations Committee Accounts.

(2) Senators' Legislative Accountable Expense Accounts.

(3) Incidental Expense Account.

(4) Caucus Operations Accounts.

(5) Committee and Contingent Expenses Accounts.

(6) Computer Services Accounts.

Rule 3. Meals and lodging.

(a) General.--A Senator may receive payments attributable to ordinary and necessary expenses for meals, lodging and incidental items provided that the Senator is engaged in the performance of legislative duties. Depending on the nature and location of the activity, as explained below, payments may be made in one of the following forms: per diem allowance or reimbursement for actual costs incurred.

(b) Per diem allowance.--

(1) A per diem allowance is an allowance for meals and lodging expenses incurred in the course of a Senator's duties. It is paid in lieu of reimbursement for actual expenses. A Senator is entitled to receive a full or partial per diem allowance for each day the Senator is in the performance of legislative duties while in the Harrisburg area (defined as within Dauphin County or otherwise within a 10-mile radius of the Capitol) or elsewhere in the Commonwealth but away from home. Specific legislative duties include attendance at sessions of the Senate, attendance at official committee meetings and participation in all other activities necessary or appropriate to the carrying out of the responsibilities of the Senator. Payment of a per diem allowance is authorized only when the legislative duties performed by the Senator occur more than 50 miles from the Senator's residence.

(2) Types of per diem allowance.--

(i) A full per diem allowance not to exceed such amount as may be established by the Senate Committee on Management Operations may be claimed as an allowance for meals and lodging and is in lieu of reimbursement for actual expenses.

(ii) When the per diem entitlement derives from the performance in the Harrisburg area of the specified legislative duties set forth in paragraph (1), a Senator may receive a partial per diem allowance in accordance with policy established by the Senate Committee on Management Operations for meals and incidentals.

(c) Actual costs.--A Senator may claim actual costs for lodging, meals and other incidental items incurred in the performance of legislative duties in lieu of a per diem allowance. Expense claims for costs of lodging, meals and other incidental expenses incurred in the performance of legislative duties outside of the Commonwealth may be reimbursed on an actual expense basis or through a per diem allowance.

(d) Employees' travel.--If an employee is engaged in travel away from the normally assigned place of work necessary for the performance of official business, the employee may be reimbursed for ordinary and necessary actual expenses for lodging, meals and other incidental items. For rules regarding out-of-State travel, see Rule 11.

(e) Payment From one source.--If a Senator is entitled to a meal and lodging claim from more than one source for legislative business performed on behalf of more than one committee or group, payments shall be received from only one source.

(f) Review.--All authorized and approved meals and lodging claims shall be reviewed for inadvertent duplication by the Office of the Chief Clerk prior to processing and payment.

(g) Record keeping.--Where a per diem allowance or reimbursement is paid by a legislative service agency cofunded between both Houses of the General Assembly, a copy of the approved claim shall be furnished to the Office of the Chief Clerk.

(h) Documentation.--

(1) Per diem allowance.--For payment of a per diem allowance, a Senator must submit a voucher showing the date, the legislative activity in which the Senator was engaged on that date, the location of the activity and an affirmative statement that the Senator incurred overnight lodging expense.

(2) Actual expenses of a Senator or an employee.--For payment of actual expenses, a Senator or employee must submit a voucher showing the date, amount, place and the legislative activity in which the Senator or employee was engaged and must submit a vendor or credit card receipt or invoice for each item exceeding \$10. Tips for meals may not exceed 20% of the value of the meal.

(i) Authorized accounts.--

(1) Payments shall be made from the Incidental Expense Account for authorized Per Diem Allowances only for sessions of the Senate during which a Senator is recorded as present on any roll call

vote.

(2) Payment may be made from the following accounts for other authorized per diem, meal and lodging claims:

- (i) Appropriations Committee Accounts.
- (ii) Senators' Legislative Accountable Expense Accounts.
- (iii) Incidental Expense Account.
- (iv) Caucus Operations Accounts.
- (v) Committee and Contingent Expenses Accounts.
- (vi) Computer Services Accounts for actual expenses only.

Rule 4. Equipment and furnishing control and inventory.

(a) Purchases, improvements and renovations.--The Office of the Chief Clerk shall act as the sole agent for improvements or renovations to Senate facilities at the Capitol Complex and for the purchase, rental, control and inventory of durable equipment, furniture and furnishings with a useful life of one year or more and a cost greater than the limit established by the Senate Committee on Management Operations for utilization in both the Capitol and District Offices. Nonrecoverable items including, but not limited to, carpeting, draperies and air conditioners for use in and improvements or renovations to district office facilities shall be purchased pursuant to standards developed by the Senate Committee on Management Operations. The Chief Clerk shall serve as the sole agent for the purchase of United States and Pennsylvania flags.

(b) Approval of purchase or rental.--All requests for the purchase or rental of such equipment, furniture and furnishings must be reviewed and approved by the Chief Clerk.

(c) Senate inventory.--All approved requests shall be processed by the Office of the Chief Clerk, which shall maintain a full and current inventory of all durable equipment, furniture and furnishings secured on behalf of a Senator, Officer or employee of the Senate.

(d) Pricing and service.--The Chief Clerk shall take all necessary and reasonable steps to ensure that the purchase or rental of durable equipment, furniture and furnishings with a useful life of one year or more and a cost greater than the limit established by the Senate Committee on Management Operations shall be transacted at the lowest available price for the quality, compatibility, availability and service of the items being purchased or leased.

(e) Dissemination of literature.--The Secretary of the Senate shall provide for the publication and dissemination of educational or informational literature pertaining to the Senate of Pennsylvania, the Commonwealth of Pennsylvania or the Government of the United States.

(f) Documentation required.--Required documentation shall include:

- (1) Request for purchase or rental showing:
 - (i) Date of request.
 - (ii) Item requested.
 - (iii) By whom request made.
 - (iv) Purpose.
 - (v) Signature approvals.
 - (vi) Record of subsection (d) actions taken.
- (2) Vendor's invoice or receipt detailing:
 - (i) Date of purchase or rental.
 - (ii) Vendor's identity.
 - (iii) Description of item purchased or rented.
 - (iv) Length of rental contract when applicable.
 - (v) Cost and payment terms of the purchase or rental.

(g) Authorized accounts.--Authorized accounts shall include:

- (1) Legislative and Printing Expense Account as provided in General Appropriations Act.

(2) Computer Services Accounts for the acquisition of equipment and fixtures necessary for the implementation and administration of the respective caucus information technology systems.

(3) Senators' Legislative Accountable Expense Accounts for the purchase of flags and for the rental of durable equipment, furniture and furnishings.

Rule 5. District office expenses.

(a) Authorized expenses.--Expenses authorized shall include:

(1) Aggregate office rental in accordance with policies as may be established by the Senate Committee on Management Operations. No Senator, nor a member of the Senator's immediate family, may have a financial interest in a district office. For purposes of this paragraph, a financial interest shall not include ownership in a publicly traded investment vehicle, including a corporation, mutual fund, REIT or limited liability partnership in which the Senator or a member of the Sena-

tor's immediate family is not a managing partner. Prior to entering into a district office lease agreement, the Chief Clerk shall obtain and maintain a written verification from the Senator that neither the Senator nor a member of the Senator's immediate family has a financial interest in the property. This Rule shall not prohibit a district office from being located in a building in which a Senator or a member of the Senator's immediate family has a financial interest if rent, utilities or any expenses that may inure to the benefit of the property or landlord are not paid for by the Senate.

- (2) Insurance.
- (3) Printing services.
- (4) Telephone and answering services.
- (5) Postage and mailing services.
- (6) Publications and subscriptions.
- (7) Nondurable supplies.
- (8) Senator, employee and visitor parking.
- (9) Janitorial maintenance and cleaning services.
- (10) Utility services.
- (11) Other items authorized for expenses as defined in the

General Appropriations Act and policies of the Senate Committee on Management Operations.

(b) Documentation required.--A copy of the district office lease indicating the amount and payment terms shall be maintained in the Office of the Chief Clerk. Vouchers shall appropriately document expenses and legislative purpose for each expenditure. Receipts or invoices shall be included for all expenditures in excess of \$25 per occurrence.

(c) Authorized accounts.--Accounts authorized include:

- (1) Senators' Legislative Accountable Expense Accounts.
- (2) Chief Clerk Employees' Salary and Expense Account.
- (3) Legislative and Printing Expense Account.
- (4) Computer Service Accounts.

Rule 6. Capitol office expenses.

(a) Types of expenses authorized.--Expenses authorized shall include:

- (1) Utility services.
- (2) Insurance.
- (3) Printing services.
- (4) Telephone and answering services.
- (5) Postage and mailing services.
- (6) Publications and subscriptions.
- (7) Nondurable supplies.
- (8) Employee parking.
- (9) Janitorial maintenance and cleaning services.
- (10) Other items authorized for expenses as defined in the

General Appropriations Act and policies of the Senate Committee on Management Operations.

(b) Documentation required.--Documentation required shall include vouchers appropriately documenting expenses and legislative purpose for each expenditure. Receipts or invoices shall be included for all expenditures in excess of \$25 per occurrence.

(c) Authorized accounts.--Accounts authorized include:

- (1) Legislative Printing and Expense Account.
- (2) Postage Account of Chief Clerk (for postage only).
- (3) Senators' Legislative Accountable Expense Accounts.
- (4) Appropriations Committee Accounts, exclusive of office

rental.

- (5) Caucus Operations Accounts, exclusive of office rental.
- (6) Committee and Contingent Expenses Accounts, exclusive

of office rental.

- (7) Incidental Expense Account.
- (8) Computer Service Accounts.

Rule 7. Official expenses.

(a) General.--While engaged in the performance of legislative duties, a Senator, Officer or employee expressly authorized by a Senator may claim actual expenses as set forth below.

(b) Participation in conferences and seminars.--Expenses, such as registration fees, incurred in participating in legislative conferences and seminars may be claimed. Related travel expenses incurred are discussed in Rule 2. Related meals and lodging expenses incurred are discussed in Rule 3.

(c) Conducting meetings.--Expenses attributable to conducting legislative meetings or performing official duties may be claimed. Such expenses may include:

(1) Food and refreshment which are ordinary to the performance of a Senator's legislative duties, and for which there is a legislative purpose. In general, these expenses will be incurred during, immediately preceding or immediately following a substantial and bona fide legislative business discussion.

(2) Meeting room rental.

(3) Incidental items.

(d) Documentation.--

(1) Participation in conferences and seminars.--Vouchers shall show the amount, date, place and legislative purpose. An agenda, and a registration form or other receipts, must be attached.

(2) Meeting expenses.--Vouchers of meeting expenses shall include documentation regarding the amount, date, place and legislative purpose. If a meeting expense is claimed by a Senator or employee, the portion of the voucher amount attributable to that Senator or employee shall be indicated. A receipt or invoice shall be attached to the voucher.

(3) Official duty expenses.--Vouchers shall show or reference to records which show the amount, date, place, legislative purpose and if claimed by a Senator or employee, the portion of the amount attributable to the expense. Restaurant, hotel or credit card receipt or invoices must be attached.

(4) Claims by Senate employees.--Vouchers involving any official expenses claimed by Senate employees shall reflect formal authorization by the supervising Senator or Officer.

(e) Authorized accounts.--Payments shall be made from the following accounts:

(1) Appropriations Committee Accounts.

(2) Incidental Expense Account.

(3) Caucus Operations Accounts.

(4) Committee and Contingent Expenses Accounts.

(5) Senators' Legislative Accountable Expenses Accounts.

(6) Computer Service Accounts.

Rule 8. Special expenses.

(a) Authorized expenses.--Expenses authorized include:

(1) Flowers, baskets of fruit or other appropriate items or memorial contributions to designated charities not to exceed the amount established by the Senate Committee on Management Operations. Recipients are limited to instances of death or serious illness for Senators, Officers, employees or their immediate families, or former Senators or their immediate families, or deceased retired Senate employees, or dignitaries including both incumbent or former elected or appointed officials or their immediate families.

(2) Rental of common carrier and other expenditures inherent thereto for attendance at funerals of a Senator or members of a Senator's immediate family, former Senators, dignitaries, or Officers.

(b) Documentation required.--Documentation required shall include a receipt or vendor invoice showing: recipient, instance, description of items delivered, date delivered and cost.

(c) Authorized accounts.--Payment shall be made only from Contingent Expense Accounts or the Incidental Expense Account.

Rule 9. Miscellaneous expenses of standing and special committees.

(a) Committee proceedings.--Rental of meeting rooms and hearing facilities and payments to qualified court reporters or stenographers to record the proceedings authorized by the chairman of a standing or special committee of the Senate, including the cost of transcripts. Witnesses served with a subpoena to testify before such proceedings shall be paid witness fees and travel expenses as provided by Section 5903 of the Judicial Code.

(b) Printing and mailing.--Committee printing and mailing costs for mailings relating to legislative business.

(c) Publications and subscriptions.--Publications and subscriptions.

(d) Documentation required.--Vouchers or vendors receipts or invoices stating vendor's name, services or amount of postage, date, place, and total amount due or paid. Postage purchases shall require a receipt from the Postmaster.

(e) Authorized accounts.--Accounts authorized include:

(1) Appropriations Committee Accounts.

(2) Caucus Operations Accounts.

(3) Committee and Contingent Expenses Accounts.

Rule 10. Senate Committee on Management Operations.

(a) Duties.--In addition to duties imposed by law or otherwise by these rules, the duties of the Senate Committee on Management Operations shall be:

(1) To arbitrate a decision of the Secretary or Chief Clerk of

the Senate relating to these Rules, in the event that a Senator, Officer or employee shall disagree with a decision of the Secretary or Chief Clerk of the Senate.

(2) To make a final decision in case of a dispute on a question of legislative intent or legislative purpose regarding an expenditure.

(3) To make a continuing review of these Rules as to expenditures and the reporting of expenditures, and, from time to time, to make such recommendations as are appropriate.

(4) To adopt clarifications to these Rules through interim policy determinations.

(b) Records.--A record of the committee's decisions shall be maintained. The Chief Clerk shall be responsible for maintaining such records.

Rule 11. Out-of-State travel.

(a) Request for approval.--No nonmember Officer of the Senate or any employee of any nonmember Officer shall be reimbursed nor shall any of his or her expenses be paid for any travel outside the Commonwealth unless such travel has been approved by the Executive Committee or a majority of the membership of the Senate Committee on Management Operations. All requests for such approval shall be made to the Chief Clerk, and shall include information relating to the destination, the estimated cost of such travel, the number of days involved, and the relationship that the travel has to the duties of the Officer or employee making the request. In the case of an employee, the request shall also be approved by the Officer.

(b) Time limit for filing.--A copy of any request for reimbursement or for the payment of any expenses relating to out-of-State travel by a Senator or employee assigned to a Senator shall be filed with the Office of the Chief Clerk within 30 days of such travel. Copies of these requests shall be made available for public inspection in the Office of the Chief Clerk in accordance with the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

Rule 12. List of employees and document access.

(a) Publication and distribution.--

(1) The Chief Clerk shall publish quarterly a listing of all employees of the Senate and its Officers, Committee Chairmen, and Senators and all persons holding contracts for services with the Senate or any of its Officers, Committee Chairmen and Senators. The list for employees shall contain the full name of the employee, the job title of the employee, the compensation of the employee, and the name of the Senator or Officer for such employee. For persons holding contracts for services with the Senate, the list shall contain the name of the contractor, the address of the contractor, a statement of the nature of the duties of the contractor, and the fee of the contractor as well as the name of the Senator or Officer responsible for monitoring the performance of the contractor.

(2) The list shall be published by February 1, for the quarter ending December 31; by May 1, for the quarter ending March 31; by August 1, for the quarter ending June 30; and by November 1, for the quarter ending September 30. The list shall be available for public inspection in the Office of the Chief Clerk in accordance with the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

(b) Public inspection of vouchers and requisitions.--All vouchers and requisitions relating to all expenditures, expenses, disbursements and other obligations out of all appropriated funds of the Senate shall be available for public inspection in accordance with the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law. Payroll and contracts for services shall also be made available for public inspection in accordance with the Right-to-Know Law.

(c) Copies of records.--Copies of financial records maintained in the Office of the Chief Clerk shall be made available in accordance with the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

Rule 13. Personnel policies.

(a) Preparation of rules and regulations.--The Senate Committee on Management Operations created pursuant to Section 1.1 of Act No. 417 of 1967 is authorized to prepare and adopt rules and regulations for uniform personnel policies and procedures, job specification and pay plans including periodic increments for Senate Officers and employees.

(b) Approval of rules and regulations.--Each such rule or regulation or any amendment thereto shall be prepared in resolution form and shall be placed on the Senate calendar for final approval or disapproval. The committee may when approved by at least five Members of the committee including both Floor Leaders implement such rules and

regulations pending final Senate consideration of them. Such resolution shall have the force and effect of law in accordance with its terms when it has been approved by the full Senate.

Rule 14. Accounting and Operations Manual.

(a) Preparation and approval.--The Chief Clerk shall prepare an Accounting and Operations Manual with separate sections applicable to Senators and their employees and fund custodians. This Manual shall be submitted to the Senate Committee on Management Operations for its approval.

(b) Distribution.--Upon approval applicable sections of the Accounting and Operations Manual shall be distributed to all Senators and Officers. A complete manual shall be forwarded to the Legislative Audit Advisory Commission.

(c) Maintenance and updating.--The Chief Clerk shall be responsible for maintaining and updating this manual as a result of revisions or amendments promulgated by the Senate Committee on Management Operations.

Rule 15. Effect and duration.

(a) Current policies.--Policies of the Senate Committee on Management Operations in effect on the date of the adoption of these rules are hereby ratified and approved by the Senate.

(b) Applicability.--These rules provide guidance to Senators, Senate Officers and Senate employees in performing their duties in the Senate. The changes contained in these rules are to be applied prospectively and are not intended to reflect on the propriety of past rules or practices of the Senate or its Senators, Officers or employees.

(c) Rules.--These rules shall be in full force and effect until altered, changed, amended or repealed as provided in Rule 16.

Rule 16. Changes to rules.

The consent of a majority of the Senators elected shall be necessary to alter, change or amend these rules.

Rule 17. Procedure for changing rules.

All alterations, changes or amendments to these rules shall be by resolution which shall not be considered until first referred to and reported from the Committee on Rules and Executive Nominations.

Senators CORMAN and COSTA, by unanimous consent, offered **Senate Resolution No. 3**, which was read, considered, and adopted by voice vote:

A Resolution adopting the Rules of the Senate for the 199th and 200th Regular Session.

(2015-2016)

RULES OF THE SENATE OF PENNSYLVANIA

Rule 1. Sessions.

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

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

Rule 2. President.

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

Rule 3. Duties of the President.

The President shall:

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

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

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

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

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

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

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

Rule 4. President Pro Tempore.

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

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

Rule 5. Duties of President Pro Tempore.

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

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

(2) Appoint members to special committees whenever authorized.

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

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

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

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

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

Rule 6. Duties of the Secretary-Parliamentarian.

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

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

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

(2) Act in the capacity of Parliamentarian.

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

(1) Direct the following functions:

(i) Amending bills in the Senate.

(ii) Preparing and publishing the Senate Calendar.

(iii) Publication of the Senate History.

(iv) Numbering Senate bills as they are introduced and causing them to be distributed to the chair of the committee to which they are referred and receiving a receipt for same.

(v) Printing of bills.

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

(3) Keep a record of all leaves granted by the Senate by compiling the leave requests submitted by a member and transmitted to the Secretary-Parliamentarian by the respective floor leaders. These records shall be retained only for the duration of the two-year legislative session. Further, these records shall be available for public inspection upon request.

(4) Transmit all bills, joint resolutions, concurrent resolutions and other communications to the House of Representatives within one legislative day of final passage or adoption, and each shall be accompanied by a message stating the title to the measure being transmitted and requesting concurrence of the House, as required.

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

(6) Supervise the Senate Library, assist Senators by making reference material available to them and perform any duties assigned to the Senate Librarian by any statute.

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

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

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

Rule 7. Duties of the Chief Clerk.

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

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

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

The Chief Sergeant-at-Arms shall:

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

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

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

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

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

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

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

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

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

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

Rule 9. Order of Business.

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

- | | |
|--------|--|
| First | Call to Order. |
| Second | Prayer by the Chaplain and Pledge of Allegiance. |
| Third | Reading of Communications. |
| Fourth | Receiving reports of committees. |

Fifth Asking of leaves of absence. No Senator shall absent himself without leave of the Senate, first obtained, unless prevented from attendance by sickness, or other sufficient cause.

Sixth Approval of Journals of preceding session days.

Seventh Offering of original resolutions.

Eighth Introduction of Guests.

Ninth Consideration of the Calendar. Any bill or resolution on the Calendar not finally acted upon within ten legislative days shall be removed from the Calendar and laid on the table, unless the Senate shall otherwise direct.

Tenth Consideration of Executive Nominations.

Eleventh Unfinished Business. Reports of Committees. Unanimous consent resolutions. Congratulatory and condolence resolutions.

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

Thirteenth Announcements by the Secretary-Parliamentarian.

Fourteenth Introduction of Petitions and Remonstrances.

Fifteenth Recess.

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

Rule 10. Order and decorum.

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

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

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

(d) Speaking more than twice.--No Senator shall speak more than twice on one question without leave of the Senate.

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

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

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

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

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

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

Rule 11. Motions.

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

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

- (1) Adjourn sine die.

- (2) Recess.
- (3) Previous question.
- (4) Recess temporarily within the same session day.
- (5) Questions of privilege of the Senate.
- (6) Orders of the day.
- (7) Lay on the table.
- (8) Limit, close or extend limit on debate.
- (9) Postpone.
- (10) Commit or recommit.
- (11) Amend.
- (12) Main motion.
- (c) Non-debatable motions.--Non-debatable motions are:
 - (1) Adjourn sine die.
 - (2) Recess.
 - (3) Recess temporarily within the same session day.
 - (4) Previous question.
 - (5) Lay on table.
 - (6) Orders of the day.
 - (7) Limit, close or extend limit on debate.
- (d) Motions which permit limited debate.--
 - (1) On the motion to postpone, the question of postponement is open to debate, but the main question is not.
 - (2) 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.
 - (3) The motion to amend is debatable on the amendments only and does not open the main question to debate.
- (e) Seconding motions.--All motions except for the previous question, which shall be seconded by not less than four Senators, may be made without a second.
- (f) Recessing and convening.--
 - (1) A motion to recess shall always be in order, except 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.
 - (2) A motion to recess, adopted and not having a reconvening time, the Senate will meet the following day at 10:00 a.m.
 - (3) 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.
 - (4) The Senate shall not recess later than 11:00 p.m. each session day unless the Senate adopts a motion that sets forth the need to recess later than 11:00 p.m.
- (g) Motion for previous question.--Pending the consideration of any question before the Senate, a Senator may call for the previous question, and if seconded by four Senators, the President shall submit the question: "Shall the main question now be put?" If a majority vote is in favor of it, the main question shall be ordered, the effect of which shall cut off all further amendments and debate, and bring the Senate to a direct vote first upon the pending amendments and motions, if there be any, then upon the main proposition. The previous question may be ordered on any pending amendment or motion before the Senate.
- (h) Motion to lay on table.--The motion to lay on the table is not debatable and the effect of the adoption of this motion is to place on the table the pending question and everything adhering to it. Questions laid on the table remain there for the entire session unless taken up before the session closes.
- (i) Motion to take from table.--A motion to take from the table, a bill or other subject, is in order under the same order of business in which the matter was tabled. It shall be decided without debate or amendment.
- (j) Reconsideration.--
 - (1) When a question has once been made and carried in the affirmative or negative, it shall be in order to move the reconsideration thereof. When the Senate has been equally 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.
 - (2) 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.
 - (3) 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 voting session of the Senate thereafter.

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

(5) When a bill, resolution, report, amendment, order, or communication, upon which a vote has been taken, shall have gone out of the possession of the Senate and been sent 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.

Rule 12. Bills.

(a) Passage of bills.--

(1) 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)

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

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

(c) Form of bills.--No bill shall be passed containing more than one subject, which shall be clearly expressed in its title, except a general appropriation bill or a bill codifying or compiling the law or a part thereof. (Const. Art. 3, Sec. 3)

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

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

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

(g) Appropriation bills.--

(1) The general appropriation bill shall embrace nothing but appropriations for the executive, legislative and judicial departments of the Commonwealth, for the public debt and for public schools. All other appropriations shall be made by separate bills, each embracing but one subject. (Const. Art. 3, Sec. 11)

(2) No appropriation shall be made for charitable, educational or benevolent purposes to any person or community nor to any denomination and sectarian institution, corporation or association: Provided, That appropriations may be made for pensions or gratuities for military service and to blind persons twenty-one years of age and upwards and for assistance to mothers having dependent children and to aged persons without adequate means of support and in the form of scholarship grants or loans for higher educational purposes to residents of the Commonwealth enrolled in institutions of higher learning except that no scholarship, grants or loans for higher educational purposes shall be given to persons enrolled in a theological seminary or school of theology. (Const. Art. 3, Sec. 29)

(h) Charitable and educational appropriations.--No appropriation shall be made to any charitable or educational institution not under the absolute control of the Commonwealth, other than normal schools established by law for the professional training of teachers for the public

schools of the State, except by a vote of two-thirds of all the members elected to each House. (Const. Art. 3, Sec. 30)

(i) Land transfer legislation.--

(1) No bills granting or conveying Commonwealth land or taking title thereto shall be reported by any committee of the Senate unless there has been filed with the Secretary-Parliamentarian and the Chair of the Reporting Committee, a memorandum from the Department of General Services indicating the use to which the property is presently employed, the full consideration for the transfer, if any, a departmental appraisal of the property, including its valuation and a list of recorded liens and encumbrances, if any, the use to which the property will be employed upon its transfer, the date by which the land is needed for its new use, and the senatorial district or districts in which the land is located. The memorandum shall be filed within 60 days after a request is made for same and contain a statement by a responsible person in the Department of General Services indicating whether or not the departments involved favor the transfer which is the subject of the bill under consideration.

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

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

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

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

(m) Printing of amended bills.--

(1) 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.

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

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

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

(p) Third consideration and final passage.--

(1) The following apply:

(i) 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. The names of the Senators voting for and against shall be recorded, entered in the Journal and posted on the Internet website maintained by the Senate. No bill shall be declared passed unless a majority of all Senators elected to the Senate shall be recorded as voting for the same.

(ii) 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.

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

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

(2) The following apply:

(i) It shall not be in order, by suspension of this Rule or otherwise, to consider a bill on final passage unless it is printed, together with amendments, if any, and made available to the Senators.

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

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

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

(s) Referral to committee by President Pro Tempore.--Every bill, joint resolution and resolution introduced by a Senator or received from the House of Representatives shall be referred by the President Pro Tempore to the appropriate committee within 14 calendar days. Upon referral, the Secretary-Parliamentarian of the Senate shall deliver the bills, joint resolutions and resolutions to the committees to which they have been referred. The Secretary-Parliamentarian of the Senate shall have the bills, joint resolutions and resolutions available for distribution.

Rule 13. Amendments.

(a) When in order.--

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

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

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

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

(c) Concurrence in House amendments.--

(1) The following apply:

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

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

(2) The following apply:

(i) Any bill or resolution containing House amendments which is returned to the Senate shall be referred to the Committee on Rules and Executive Nominations immediately upon the reading of the communication by the clerk. The consideration of any bill or resolution containing House amendments may include the amendment of House amendments only by the Committee on Rules and Executive Nominations. The vote on concurring in amendments by the House to bills or resolutions amended by the House shall not be taken until said bills or resolutions have been favorably reported, as committed or as amended, by the Committee on Rules and Executive Nominations and have been placed on the desks of the Senators and particularly referred to on their calendars.

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

Rule 14. Committees.

(a) Standing committees.--

(1) There shall be the following permanent Standing Committees, the Chair, the Vice-Chair and members thereof to be appointed by the President Pro Tempore as soon as possible after the election of the President Pro Tempore in sessions convening in odd-numbered years or such other times as may be necessary. The composition of each Standing Committee shall reasonably reflect the caucus composition of the Senate membership.

Aging and Youth -- 10 members
Agriculture and Rural Affairs -- 10 members
Appropriations -- 23 members
Banking and Insurance -- 13 members
Communications and Technology -- 10 members
Community, Economic and Recreational Development -- 13 members

bers

Consumer Protection and Professional Licensure -- 13 members
Education -- 10 members
Environmental Resources and Energy -- 10 members
Finance -- 10 members
Game and Fisheries -- 10 members
Intergovernmental Operations -- 10 members
Judiciary -- 13 members
Labor and Industry -- 10 members
Law and Justice -- 10 members
Local Government -- 10 members
Public Health and Welfare -- 10 members
Rules and Executive Nominations -- 16 members
State Government -- 10 members
Transportation -- 13 members
Urban Affairs and Housing -- 10 members
Veterans' Affairs and Emergency Preparedness -- 10 members
Subcommittees

(2) Each standing committee or the chair thereof may appoint, from time to time, a subcommittee to study or investigate a matter falling within the jurisdiction of the standing committee or to consider a bill or resolution referred to it. A Subcommittee may hold public hearings only with the prior permission of its standing committee. Subcommittees shall be regulated by the Senate Rules of Procedure and shall be

in existence for only that time necessary to complete their assignments and report to their standing committees.

(b) Members-ex-officio.--

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

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

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

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

(d) Powers and responsibilities.--Standing committees are authorized:

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

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

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

(e) Notice of meetings.--

(1) The following apply:

(i) The chair of a committee, or, in the absence of the chair, the vice-chair, with the approval of the chair, shall provide each member of the committee with written notice of committee meetings, which shall include the date, time and location of the meeting and the number of each bill, resolution or other matter which may be considered. During session, notice of meetings of standing committees shall be published daily. Notice shall be delivered by the chair to the Secretary-Parliamentarian's office in writing by the end of the session on the day preceding its intended publication.

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

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

(2) A committee meeting, or hearing for which notice has not been published as provided in section 6(e)(1), may be held during a session only if approval is granted by the Majority and Minority Lead-

ers and if notice of the bills to be considered is given during session.

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

(g) Public meetings or hearings.--

(1) The following apply:

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

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

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

(h) Quorum of committee.--A committee is actually assembled only when a quorum constituting a majority of the members of that committee is present in person. A majority of the quorum of the whole committee shall be required to report any bill, resolution or other matter to the floor for action by the whole Senate.

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

(j) Discharging committees.--

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

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

Rule 15. Committee officers.

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

(b) Calling committee to order.--The Chair, or, if authorized by the Chair, the Vice-Chair shall call the committee to order at the hour provided by these Rules. Upon the appearance of a quorum, the committee shall proceed with the order of business. Any member of the committee may question the existence of a quorum.

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

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

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

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

(g) Chair's duty to report.--The Chair shall report any bill to the

floor of the Senate not later than the second legislative day after the committee's vote to report it.

Rule 16. Committee members.

Members, attendance and voting shall be as follows:

(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 direct personal, private or pecuniary interest.

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

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

Rule 17. Committee voting.

Taking the vote shall be as follows:

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

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

Rule 18. Motions in committees.

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

Rule 19. Conference Committees.

(a) Composition.--The President Pro Tempore shall appoint three Senators to comprise a Committee of Conference. Two shall be from the majority party and one from the minority party.

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

(c) Report of Conference Committee.--

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

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

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

Rule 20. Voting.

(a) Senators must be present.--Every Senator shall be present within the Senate Chamber during the sessions of the Senate, and shall be recorded as voting on each question stated from the Chair which requires a roll call vote unless the Senator is on leave, is duly excused or is unavoidably prevented from attending session. The refusal of any Senator to vote as provided by this Rule shall be deemed a contempt of the Senate.

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

(1) Capitol leave.--A Senator who is performing a legislative duty in the Harrisburg area, which is defined in the Financial Operating Rules of the Senate as within Dauphin County or otherwise within a 10-mile radius of the Capitol, may, upon request during session, be granted a Capitol Leave by the Senate and may be voted by the Senator's respective floor leader. A specific reason for the Capitol Leave

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

(2) Legislative leave.--A Senator who is performing a legislative duty outside of the Harrisburg area may, upon request during session, be granted a Legislative Leave by the Senate and may be voted by the Senator's respective floor leader. A specific reason for the Legislative Leave must be given in writing by the Senator. The Legislative Leave request shall be communicated to the Senator's respective floor whip for transmission to the respective floor leader prior to the beginning of a roll call vote. All written Legislative Leave requests shall be transmitted by the respective floor leaders to the Secretary-Parliamentarian of the Senate for retention in accordance with Rule 6(c)(3) within 24 hours of the conclusion of the legislative day in which leave was requested.

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

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

(c) Excused from voting.--

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

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

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

(e) Persons allowed at desk during roll call.--No Senator or other person, except the Majority or Minority Leader or other persons designated by them, shall be permitted at the Reading Clerk's desk during the recording, counting or verification of a roll call vote.

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

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

(h) Majority vote.--When bills or other matters which require a vote of the majority of Senators elected are under consideration, the

concurrence of a majority of all the Senators elected shall not be requisite to decide any question or amendment short of the final question; and, on any question short of a final one, a majority of Senators voting shall be sufficient to pass the same.

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

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

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

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

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

Rule 21. Correspondents.

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

(b) Photographs in Senate Chamber.--

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

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

(c) Order and decorum of press.--

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

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

Rule 22. Radio and television.

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

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

Rule 23. Video feed and audio feed.

(a) Responsibilities of the Chief Clerk.--

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

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

(3) All equipment required to produce the video feed and

audio feed shall be operated by Senate personnel. Nothing in any contract entered into by the Office of the Chief Clerk regarding installation or maintenance of equipment shall permit any control over the video cameras and microphones in the Senate Chamber to be exercised by anyone but the appropriate Senate officers and employees.

(b) Sessions provided free of charge.--

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) Except as provided in this paragraph, the President Pro Tempore, any other presiding officer and any Senator, officer or employee of the Senate shall be prohibited from editing any portion of the video feed and audio feed described in this Rule. A Senator may post a video clip or audio clip of Senate session on an Internet website or provide a video clip or audio clip of Senate session for any television broadcast as long as the clip exclusively features the Senator who is posting or providing the clip.

(f) Other recording prohibited.--

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

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

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

(h) Official record.--The video feed and audio feed provided by the Senate shall not constitute an official record of Senate actions. The official record of Senate actions shall be contained in the Journals prepared by the Secretary-Parliamentarian of the Senate and approved by the Senate.

Rule 24. Who privileged to the floor of the Senate.

(a) Admission during session.--With the exception of the Senate Gallery and the Senate Press Gallery, no person shall be admitted within the Senate Chamber during Senate sessions, unless invited by the President Pro Tempore or the Majority or Minority Leaders. During session, authorized staff with access to the Senate Chamber shall be limited and shall be restricted to the area immediately adjacent to the Majority and Minority Leaders' desks. Advice to Senators during debate shall be

allowed only when the Senator is using the microphones at the leaders' desks.

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

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

Rule 25. Rules.

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

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

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

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

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

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

Rule 27. Quorum.

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

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

(c) When less than a quorum vote but present.--When less than a quorum vote upon any subject under the consideration of the Senate, not less than four Senators may demand a call of the Senate, when it shall be the duty of the presiding officer to order the doors of the Senate to be closed and the roll of the Senators to be called. If it is ascertained that a quorum is present, either by answering to their names, or by their presence in the Senate, the presiding officer shall again order the yeas and nays; and, if any Senator present refuses to vote, the name or names of such Senator shall be entered on the Journal as "Present but not voting." Such refusal to vote shall be deemed a contempt; and, unless purged, the presiding officer shall direct the Sergeant-at-Arms to bring the Senator before the bar of the Senate, where the Senator shall be publicly reprimanded by the presiding officer.

Rule 28. Executive nominations.

(a) 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 Chair of the Committee on Rules and Executive Nominations shall designate an appropriate standing committee of the Senate to conduct a public hearing for nominees that have Statewide jurisdiction and to which salaries are attached. The Committee on Rules and Executive Nominations shall refer those nominees to the designated committee for the purpose of holding a public hearing to scrutinize the qualifications of nominees and to report back its recommendations. Public hearings may be held for nominees for any other office.

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

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

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

(e) Reconsideration.--When a nomination is confirmed or rejected by the Senate, any Senator may move for a reconsideration on the same day on which the vote was taken, or on either of the next two days of voting session of the Senate; but if a notification of the confirmation or rejection of a nomination shall have been sent to the Governor before the expiration of the time within which a motion to reconsider may be made, the motion to reconsider shall be accompanied by a motion to request the Governor to return such notification to the Senate. A motion to reconsider the vote on a nomination may be laid on the table without prejudice to the nomination.

Rule 29. Resolutions.

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

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

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

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

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

(c) Printing in Senate History.--

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

(2) All resolutions shall be adopted by a majority vote of the Senators present except as specifically provided for in these Rules.

(d) Joint Resolutions.--

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

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

Rule 30. General access to the Senate Floor prohibited.

The Secretary-Parliamentarian of the Senate shall cause the doors to the Senate Floor to be closed to all persons except those who are entitled to access under the Rules of the Senate. On days when the Senate is not in session, access to the Senate Floor by any person not con-

nected with the Senate is prohibited. Other than the Senator, no person shall be permitted to occupy the seat of a Senator at any time.

Rule 31. Veto.

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

(b) Consideration during second regular session.--A bill vetoed in a first regular session and not finally acted upon may be brought up for consideration in a second regular session.

Rule 32. Division of a question.

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

Rule 33. Coordination with other Senate Rules.

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

Rule 34. Committee on Ethics.

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

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

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

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

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

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

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

- (1) be submitted in writing;
- (2) be sworn or affirmed by the person filing the complaint; and

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

(d) Review of complaint.--Upon receipt of a complaint that conforms with all the requirements of this Rule, the Senate Committee on Ethics shall review the complaint and determine whether or not a preliminary investigation is warranted within 30 days of receiving the complaint. For good cause, a majority of the members of the committee may vote to grant an additional 30 days to complete the committee's review. A frivolous or de minimis complaint may be dismissed by a majority of the members of the committee, with prejudice. The chair shall notify the complainant and the subject Senator of the disposition of a dismissed complaint.

(e) Disposition of complaints.--If it is determined by a majority of the members of the Senate Committee on Ethics that an ethical conduct violation may have occurred, the Senator against whom the complaint

has been brought shall be notified in writing and given a copy of the complaint. Within 15 days after receipt of the complaint, the Senator may file a written answer to the complaint with the committee. If no answer is filed, the complaint shall be deemed denied by the subject Senator. The lack of an answer shall not be deemed to be an admission or create an inference or presumption that the complaint is true. The lack of an answer shall not prohibit a majority of the members of the committee from either proceeding with a formal investigation or dismissing the complaint.

(f) Preliminary investigation.--The committee shall have 30 days from the date that receipt of the answer to the complaint is to be provided to complete its preliminary investigation. For good cause, a majority of the members of the committee may vote to grant an additional 30 days to complete the committee's review. The committee may employ an independent counsel to conduct a preliminary investigation. Upon conclusion of the preliminary investigation, by vote of a majority of the members of the committee, the committee shall determine whether to proceed with a formal investigation, which may include hearings. In the event that the committee vote is equally divided, the question falls. If the committee does not decide to proceed to a formal investigation, the Chair shall notify the complainant and the subject Senator of the disposition of the complaint and shall summarize the committee's rationale for its conclusion.

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

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

(i) Alternative procedure.--In addition to action on formal complaints as provided in subsection (c), a majority of the members of the Senate Committee on Ethics may initiate a preliminary investigation of suspected unethical conduct in violation of a Senate Rule, statute or constitutional provision governing the ethical conduct of a Senator. If it is determined by a majority of the members of the committee that a violation may have occurred, the Senator in question shall be notified in writing of the alleged unethical conduct in question and the Rule, statute or constitutional provision allegedly violated. Within 15 days of the receipt of this information, the Senator may file a written answer with the committee. The lack of an answer shall not be deemed to be an admission or create an inference or presumption that the complaint is true. The lack of an answer shall not prohibit a majority of the members of the committee from either proceeding with a formal investigation or dismissing the complaint. The committee shall have 30 days from the date that receipt of the answer to the complaint is to be provided to complete its preliminary investigation. For good cause, a majority of the members of the committee may vote to grant an additional 30 days to complete the committee's review. Upon conclusion of the preliminary investigation, by vote of a majority of the members of the committee, the committee shall determine whether to proceed with a formal investigation, which may include hearings. In the event that the committee vote is equally divided, the question falls.

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

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

(1) The Chair of the Senate Committee on Ethics may con-

tinue any hearing for reasonable cause. Upon the vote of a majority of the members of the committee, or upon the request of the Senator subject to investigation, the Chair shall issue subpoenas for the attendance and testimony of witnesses and the production of documentary evidence relating to any matter under formal investigation by the committee. The Chair of the committee may administer oaths or affirmations, examine and receive evidence, or rule on any objections raised during the course of a hearing.

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

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

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

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

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

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

(m) Distribution of report.--After the expiration of the seven-day notice requirement contained in subsection (l), the Senate Ethics Committee shall file its report with the Secretary-Parliamentarian of the Senate, who shall cause a copy of the report of the committee to be distributed to the members of the Senate. The report of the Senate Ethics Committee shall be placed on the Senate Calendar and shall be acted on by the Senate within ten legislative days of the adoption of a temporary rule setting forth rules of procedure for the orderly disposition of the report by the full Senate. A vote by a majority of the members elected to the Senate shall be necessary to adopt each finding set forth in the Ethics Committee Report.

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

- (1) a warning;
- (2) a written reprimand;
- (3) restitution for damages; or

(4) any other sanction provided for under the Rules of the Senate of Pennsylvania or the Constitution of Pennsylvania.

(o) Advisory opinion.--The Senate Committee on Ethics, at the request of a Senator or officer who has an ethical question or concern regarding the Senate Rules individually or in conjunction with others, may issue an advisory opinion seeking to clarify the ethical require-

ments of the Senate Rules. These advisory opinions, with such deletions and changes as shall be necessary to protect the identity of the persons involved or seeking them, may be published and shall be distributed to all members, officers and employees of the Senate. No action regarding unethical conduct may be taken against a Senator, officer or employee, who has relied on a written advisory opinion, whether directly addressed to that person or not, which is reasonably construed as being applicable to the conduct in question.

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

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

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

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

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

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

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

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

(b) Termination of suspension.--If the indictment is quashed, or the court finds that the officer or employee is not guilty of the offense alleged, the suspension without pay shall be terminated, and the officer or employee shall receive compensation for the period of time during which the officer or employee was suspended which compensation shall be reduced by the amount of any compensation said officer or employee earned from other employment during the period of suspension.

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

Rule 37. Affiliation with nonprofit entities.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"Affiliated." Serving:

- (1) as an officer of a nonprofit entity;
- (2) on the board of directors of a nonprofit entity;
- (3) as a paid employee of a nonprofit entity; or
- (4) as a contractor of a nonprofit entity.

"Family member." A spouse or child.

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

ANNOUNCEMENT OF MAJORITY AND MINORITY LEADERSHIP

The PRESIDENT. The Chair has been informed by the Majority Caucus that they have elected as Majority Leader, Senator Corman of Centre County; as Whip, Senator Gordner of Columbia County; as Caucus Chairman, Senator Mensch of Montgomery County; as Caucus Secretary, Senator Alloway of Franklin County; as Appropriations Chairman, Senator Browne of Lehigh County; as Caucus Administrator, Senator McIlhinney of Bucks County; and as Policy Committee Chairman, Senator Argall of Schuylkill County.

The Chair has been informed by the Minority Caucus that they have elected the following: as Minority Leader, Senator Costa of Allegheny County; as Whip, Senator Williams of Philadelphia County; as Caucus Chairman, Senator Fontana of Allegheny County; as Caucus Secretary, Senator Farnese of Philadel-

phia County; as Appropriations Chairman, Senator Hughes of Philadelphia County; as Caucus Administrator, Senator Yudichak of Luzerne County; as Policy Committee Chair, Senator Boscola of Northampton County; and as Vice Chairman of the Committee on Appropriations, Senator Blake of Lackawanna County.

STATEMENT BY THE PRESIDENT

The PRESIDENT. We are now going to notify the House that the Senate is organized.

SENATE RESOLUTION

NOTIFICATION TO THE HOUSE

Senator ARGALL, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 6, 2015

RESOLVED, That a committee of three Senators be appointed to inform the House of Representatives that the Senate is organized in Regular Session and ready to proceed to business.

APPOINTMENT OF COMMITTEE TO NOTIFY THE HOUSE

The PRESIDENT. Pursuant to the resolution just adopted, the Chair wishes to announce the following committee to notify the House that the Senate is organized: the gentleman from Venango County, Senator Hutchinson, as chair; the gentlewoman from Luzerne County, Senator Baker; and the gentleman from Montgomery County, Senator Leach.

The committee will leave immediately to discharge its duties.

SENATE RESOLUTION

NOTIFICATION TO HIS EXCELLENCY, THE GOVERNOR

Senator EICHELBERGER, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 6, 2015

RESOLVED, That a committee of three Senators be appointed to inform His Excellency, the Governor of the Commonwealth of Pennsylvania, that the Senate is convened and organized in Regular Session and ready to receive any communications he may be pleased to make.

APPOINTMENT OF COMMITTEE TO NOTIFY THE GOVERNOR

The PRESIDENT. Pursuant to the resolution just adopted, the Chair wishes to announce the following committee to notify the Governor that the Senate is organized: the gentleman from Indiana County, Senator White, as chair; the gentleman from Montgomery County, Senator Mensch; and the gentleman from Montgomery County, Senator Haywood.

The committee will leave immediately to discharge its duties.

SENATE RESOLUTIONS ADOPTED

THANKS OF SENATE TENDERED TO THE REVEREND THOMAS A. SWEET FOR HIS PRAYER

Senator BROWNE, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 6, 2015

RESOLVED, That the thanks of the Senate is hereby tendered to the Reverend Thomas A. Sweet, Pastor, Market Square Presbyterian Church, Harrisburg, Pennsylvania, for his services as Chaplain of the Senate this day.

THANKS OF SENATE TENDERED TO THE HONORABLE THOMAS G. SAYLOR FOR ADMINISTERING THE OATH OF OFFICE TO THE PRESIDENT PRO TEMPORE AND OFFICERS OF THE SENATE

Senator ALLOWAY, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 6, 2015

RESOLVED, That the thanks of the Senate is hereby tendered to The Honorable Thomas G. Saylor, Justice of the Supreme Court of Pennsylvania, for his services in qualifying the newly-elected and re-elected Republican Senators and Officers.

THANKS OF THE SENATE TENDERED TO THE HONORABLE MAX BAER FOR ADMINISTERING THE OATH OF OFFICE TO NEWLY-ELECTED DEMOCRATIC SENATORS

Senator YUDICHAK, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 6, 2015

RESOLVED, That the thanks of the Senate is hereby tendered to The Honorable Max Baer, Justice of the Supreme Court of Pennsylvania, for his services in qualifying the newly-elected and re-elected Democratic Senators.

SENATE CONCURRENT RESOLUTIONS

WEEKLY RECESS

Senator CORMAN offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 6, 2015

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Tuesday, January 20, 2015, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Wednesday, January 14, 2015, unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses the week of January 14, 2015, it reconvene on Tuesday, January 20, 2015, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the Secretary of the Senate present the same to the House of Representatives for concurrence.

JOINT SESSION

Senator TOMLINSON, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 6, 2015

RESOLVED, (the House of Representatives concurring), That the Senate and House of Representatives meet in Joint Session on Tuesday, January 6, 2015, in the Hall of the House of Representatives for the purpose of witnessing the opening, counting and computing of the official returns of the election for Governor and Lieutenant Governor, held on Tuesday, November 4, 2014, in the several counties of the Commonwealth and to elect a Director of the Legislative Reference Bureau.

Ordered, That the Secretary of the Senate present the same to the House of Representatives for concurrence.

SENATE RESOLUTION

TELLER TO COMPUTE AND COUNT VOTES FOR GOVERNOR AND LIEUTENANT GOVERNOR

Senator McILHINNEY, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 6, 2015

RESOLVED, That the gentlewoman from Cumberland County, Senator Vance, be appointed Teller on the part of the Senate, for the purpose of witnessing the opening, computing, and counting of the votes for Governor and Lieutenant Governor.

SENATE CONCURRENT RESOLUTION

INAUGURAL COMMITTEE

Senator GORDNER, by unanimous consent, offered the following resolution, **Senate Resolution No. 4**, which was read, considered, and adopted by voice vote:

In the Senate, January 6, 2015

A Concurrent Resolution authorizing the appointment of committees to make arrangements for the inauguration of the Governor-elect.

Ordered, That the Secretary of the Senate present the same to the House of Representatives for concurrence.

SENATE RESOLUTION ADOPTED

Senators KITCHEN, RAFFERTY, YUDICHAK, BOSCOLA and PILEGGI, by unanimous consent, offered **Senate Resolution No. 5**, entitled:

A Resolution designating the week of January 19 through 25, 2015, as "Dr. Martin Luther King, Jr., Holiday Week" in Pennsylvania.

Which was read, considered, and adopted by voice vote.

HOUSE NOTIFIES SENATE IT IS ORGANIZED

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present the Chair of the committee from the House of Representatives, Representative Julie Harhart.

Representative HARHART. Mr. President, we have been appointed as a committee by the House to inform the Senate the House is organized and is ready to proceed with the business of the Session. Thank you.

The PRESIDENT. The Chair thanks the gentlewoman. The Chair thanks the committee from the House of Representatives for discharging its duties.

SPECIAL ORDER OF BUSINESS GUEST OF SENATOR JAKE CORMAN PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, could I briefly return to introduction of guests before we leave? I apologize, once you start down this road you inevitably miss somebody, and the Senator from Monroe County wanted me to inform everyone that the president of East Stroudsburg University is here. Since Penn State Football Coach James Franklin attended there, I thought it was important that we recognize that President Marcia Welsh is here with us today.

(Applause.)

GUEST OF SENATOR JAY COSTA PRESENTED TO THE SENATE

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

Senator COSTA. Mr. President, I introduce to my colleagues the Dean of Duquesne University School of Law, Ken Gormley.

(Applause.)

RECESS

The PRESIDENT. The time has come in our order of business to assemble in the Hall of the House of Representatives for a Joint Session. The Chair requests that all guests remain seated until the Members of the Senate leave for the House. This will eliminate considerable confusion and facilitate our movement to the House of Representatives. The Chair thanks our guests.

Now, the Members of the Senate will please form a line in the center aisle immediately behind the Sergeant-at-Arms in order that we may proceed to the Joint Session.

The Chair now declares a recess of the Senate for the purpose of a Joint Session in the House.

AFTER RECESS

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

CONGRATULATORY RESOLUTIONS

The PRESIDENT laid before the Senate the following resolutions, which were read, considered, and adopted by voice vote:

Congratulations of the Senate were extended to Bill Chain by Senator Alloway.

Congratulations of the Senate were extended to David O. Morgan, Matthew John Zimmerman and to Les Brown Big Band Festival Committee by Senator Argall.

Congratulations of the Senate were extended to Mr. and Mrs. Thomas E. Coyle, Mr. and Mrs. William E. Feirick, Mr. and Mrs. Dave Greenwood, Mr. and Mrs. Raymond Styer, Clayton S. Hickernell, Lillian Esther Martin and to Anna Ruth Yerger by Senator Aument.

Congratulations of the Senate were extended to David Mark Schnable, Jr., John Janosik and to Mathew Gibbon by Senator Baker.

Congratulations of the Senate were extended to Chief R. T. Bell and to Mary Tokarczyk by Senator Bartolotta.

Congratulations of the Senate were extended to Dr. Lori A. Williams by Senator Blake.

Congratulations of the Senate were extended to Dr. Robert Echenberg, Dr. Mario Candal, George Michael Hanna, Henriette Engelson and to the Northampton County Medical Society by Senator Boscola.

Congratulations of the Senate were extended to the Reverend Monsignor John P. Murphy and to Sister Virginia Longcope by Senators Boscola and Browne.

Congratulations of the Senate were extended to Eugene G. Khorey by Senator Brewster.

Congratulations of the Senate were extended to Christopher Michael Rust, Opal Ruth Beck Seber, Tyler R. Reimold, Taylor R. Reimold, members and coaches of the Hickory High School Football Team, Conneaut Area Senior High School Football Team and to Sharpsville High School Football Team by Senator Brooks.

Congratulations of the Senate were extended to Fern I. C. Crone, William Paul Ritz, Charles Perun, Beatrice B. Latshaw, Lois Margaret Roberts, Antoinette C. Rosto, William Edward Diehl, James J. Vargo and to Mathias F. Gutman by Senator Browne.

Congratulations of the Senate were extended to Trifecta Technologies, Inc., and to the Follett Corporation by Senators Browne, Boscola, and Scavello.

Congratulations of the Senate were extended to Oliver Runde and to Ladies in Fellowship Together by Senator Corman.

Congratulations of the Senate were extended to Mitchell Mroczkowski by Senator Costa.

Congratulations of the Senate were extended to Anna Mae Gally by Senators Costa and Vulakovich.

Congratulations of the Senate were extended to the Honorable Carolyn T. Comitta, William W. Ronayne, Joshua M. Smith,

Trystan A. Yeager, Kevin Swift Schwenk, Domestic Violence Center of Chester County, Rubinstein's and to the Mary E. Walker House by Senator Dinniman.

Congratulations of the Senate were extended to John G. McCabe, Michael Daverio and to Amanda Gooding by Senators Dinniman and Rafferty.

Congratulations of the Senate were extended to Chief Brian Sheller by Senators Dinniman and Smucker.

Congratulations of the Senate were extended to Brumbaugh Wealth Management and to Maternal and Child Health Consortium of Chester County by Senator Dinniman and others.

Congratulations of the Senate were extended to Frank R. Milillo, Samuel Garcia, William Earl Swain and to the Philadelphia Senior Center by Senator Farnese.

Congratulations of the Senate were extended to Kyle Christopher Ryland by Senator Folmer.

Congratulations of the Senate were extended to Potential Re-entry Opportunities in Business and Education by Senators Folmer and Teplitz.

Congratulations of the Senate were extended to Noah Roux and to Bertilla Maciejewski by Senator Gordner.

Congratulations of the Senate were extended to Jeffrey A. Davis and to Winston Sheppard by Senator Greenleaf.

Congratulations of the Senate were extended to the Reverend C. Hamilton Robinson and to GTI Travel, Inc., by Senator Haywood.

Congratulations of the Senate were extended to Mr. and Mrs. David Spencer Schoolfield, Sr., and to Patrick R. MacKinlay by Senator Hughes.

Congratulations of the Senate were extended to Mr. and Mrs. William Earley, Mr. and Mrs. R. Dale DeWyer and to Court Appointed Special Advocates of Venango County, Inc., by Senator Hutchinson.

Congratulations of the Senate were extended to Petty Officer Second Class Roosevelt Abdullah and to John Robert Huff, Sr., by Senator Kitchen.

Congratulations of the Senate were extended to Arthur Scott, Sr., and to the Back on Track Program of Big Brothers Big Sisters of Southeastern Pennsylvania by Senator Leach.

Congratulations of the Senate were extended to David M. Boppell, Nicholas Guillen and to William Irving by Senator McGarrigle.

Congratulations of the Senate were extended to Quinn Danielson by Senator McIlhinney.

Congratulations of the Senate were extended to Charles Garbarino, Jr., Jason Boucher and to Anthony W. Montonario by Senators McIlhinney and Tomlinson.

Congratulations of the Senate were extended to Mary Matzo Mumbauer and to the Boyertown Museum of Historic Vehicles by Senator Mensch.

Congratulations of the Senate were extended to Michelle Kane, Sarah Cody Whetstone, Ellen L. Jamison, JBS USA and to the Franconia Heritage Restaurant by Senators Mensch and Greenleaf.

Congratulations of the Senate were extended to the Harleysville Savings Bank by Senators Mensch and McIlhinney.

Congratulations of the Senate were extended to Skippack Fire Company by Senators Mensch and Rafferty.

Congratulations of the Senate were extended to Donna Memmi Malpezzi, James Adam Jaques, Mavis L. Berdan, Ryan Maximiliano Flores and to the Calvary Baptist Church by Senator Pileggi.

Congratulations of the Senate were extended to Andrew Jacob Miller, Sean Michael Dix, Steven Peter McKay, Benjamin Logan Savoy, Adam Granito, Joseph Isaac Gorman and to the Valley Forge Chapter of AMBUCS by Senator Rafferty.

Congratulations of the Senate were extended to Mr. and Mrs. Warren Duck, Tanner Ward Thomas, Rebecca Brown, Mary Sleight, Bill Sabatose and to WDSN-FM Sunny 106 by Senator Scarnati.

Congratulations of the Senate were extended to Amelia Cerino and to Christopher Curtis by Senator Scavello.

Congratulations of the Senate were extended to Donald K. Souder by Senators Scavello and Mensch.

Congratulations of the Senate were extended to Mary Lou Sullivan by Senator Smith.

Congratulations of the Senate were extended to Denise Friel by Senator Stefano.

Congratulations of the Senate were extended to Chief Petty Officer Brenda A. Garber, William A. Shaffer, Chase Lawrence DeLancey and to HR Resolutions by Senator Teplitz.

Congratulations of the Senate were extended to Carmen Bermdez, William McCloskey, Sr., Donald G. Anderson, Shannon Rose, Joy Rose, Catherine Ann Weber Fleming, Joanne Wimmersberger, Irma Backhouse, William Woodroffe, Villa Joseph Marie High School Girls' Soccer Team and to the Holy Ghost Preparatory School Boys' Soccer Team by Senator Tomlinson.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Fickes, Garcia Gray, Ryan Joseph Underwood and to Robert Eugene McCaleb by Senator Vance.

Congratulations of the Senate were extended to Tristan McCullough, Shon Owens, Donald Hepler and to the Hoyt Institute of Fine Arts by Senator Vogel.

Congratulations of the Senate were extended to Chief Melvin Wick, Nick Bartoszewicz, Lawrence A. Swanson, Gary Borsuk, Tony Tieppo, Mardie Baldo, John Deily, Shawn O'Brien, David Trocki, Robin Trocki, Tracy Adamik and to West Deer Volunteer Fire Department No. 1 by Senator Vulakovich.

Congratulations of the Senate were extended to Robert Noll by Senator Ward.

Congratulations of the Senate were extended to Mr. and Mrs. Stephen Ambrose, Mr. and Mrs. Robert Niggel, Mr. and Mrs. Roland Schrecongost, Mr. and Mrs. Donald Atkinson, Cynthia Rearick and to Gwenneth Rybicki by Senator White.

Congratulations of the Senate were extended to the Presby's Inspired Life Board of Directors by Senator Williams.

Congratulations of the Senate were extended to Octavia M. McConnell, Melvyn D. Wingard and to Eric Matthew Will by Senator Wozniak.

Congratulations of the Senate were extended to Mr. and Mrs. Donald Newman, Mr. and Mrs. Malvern Showers, Mr. and Mrs. Eugene D. Breisch, Mr. and Mrs. Dean Barto, Mr. and Mrs. Michael J. Cervinsky and to Mr. and Mrs. Merrill Leidhecker, Jr., by Senator Yaw.

Congratulations of the Senate were extended to Mr. and Mrs. John Coledo, Thomas Hirko, Joseph Ostrowski, Stanley Zenda, Thomas Burke, Thomas J. Keeney, Brian P. Wisowaty, Drew J.

Slater, Curtis John Hosey, Nico E. Vasquez, Rose Rossi, Clarke's Irish Imports and Floral and to the Knights of Lithuania, Council No. 143 by Senator Yudichak.

Congratulations of the Senate were extended to Frank Pasquini and to Mohegan Sun at Pocono Downs by Senators Yudichak and Baker.

Congratulations of the Senate were extended to Patrick Seamus Joyce by Senators Yudichak and Blake.

CONDOLENCE RESOLUTIONS

The PRESIDENT laid before the Senate the following resolutions, which were read, considered, and adopted by voice vote:

Condolences of the Senate were extended to the family of the late Dr. Patrick J. McAndrew, to the family of the late David William Hazen, to the family of the late Thomas Henry Kennedy, to the family of the late Donald A. Gavigan, to the family of the late Kathryn Frisch Carmody, to the family of the late Eloise Williams Masters, to the family of the late Vanessa Joy Van Gorder, to the family of the late Frank A. Oliveri, to the family of the late Edith E. Pillarella and to the family of the late Barbara Leonard Lukasavage by Senator Baker.

Condolences of the Senate were extended to the family of the late Lamont George McClure, Sr., to the family of the late Norman Wells Gow, Jr., to the family of the late John W. Rybak, to the family of the late Carmela Gisi Cerullo, to the family of the late Audrey H. Jacoby Phillip, to the family of the late Tyler B. Schaffer, to the family of the late George Nemeth and to the family of the late John C. Hagen III by Senator Boscola.

Condolences of the Senate were extended to the family of the late Samir P. Ashmar by Senator Browne.

Condolences of the Senate were extended to the family of the late Rocco Scarfo by Senator Dinniman.

Condolences of the Senate were extended to the family of the late Nicholas J. Antonini by Senator Greenleaf and others.

Condolences of the Senate were extended to the family of the late Shane Michael Montgomery, to the family of the late Stephen Thomas Johnson, Sr., to the family of the late Charles Darian Gibson II and to the family of the late James Jerome Wilson by Senator Hughes.

Condolences of the Senate were extended to the family of the late Albert F. Campbell, Jr., by Senators Hughes and Williams.

Condolences of the Senate were extended to the family of the late Joyce Craig by Senator Kitchen and others.

Condolences of the Senate were extended to the family of the late Dorothy Edna Townsend, to the family of the late Germaine C. Revotskie, to the family of the late John J. Corbett, to the family of the late Angeline N. Pulli, to the family of the late William Gansser, to the family of the late William Worthington, to the family of the late Dennis D. Loux, Sr., to the family of the late Sarah E. Bellerby and to the family of the late Donald Nasshorn by Senator McIlhinney.

Condolences of the Senate were extended to the family of the late Mitchell A. Gerhart by Senator Schwank.

Condolences of the Senate were extended to the family of the late Josephine E. Szczerbienski by Senator Solobay.

Condolences of the Senate were extended to the family of the late Lloyd A. White and to the family of the late Marlene D. Minkoff by Senator Teplitz.

Condolences of the Senate were extended to the family of the late Dr. Charles Wilbert Hilliard McCabe, to the family of the late Barbara Tillery and to the family of the late Robert Carter Harris, Jr., by Senator Williams.

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

The PRESIDENT laid before the Senate the following communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Rules and Executive Nominations:

MEMBER OF THE STATE ATHLETIC COMMISSION

December 2, 2014

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Bryan Troop, 155 Foxchase Drive, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the State Athletic Commission, to serve for a term of four years and until his successor is appointed and qualified, vice Andrew A. DePaolo, Pittsburgh, deceased.

TOM CORBETT
Governor

MEMBER OF THE STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS

December 2, 2014

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephanie Moore (Public Member), 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, to serve until March 31, 2015, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Earnest E. Long, Jr., Gettysburg, resigned.

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES OF WHITE HAVEN CENTER

December 2, 2014

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Bryan Troop, 155 Foxchase Drive, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Board of Trustees of White Haven Center, to serve until the third Tuesday of January 2017, and until his successor is appointed and qualified, vice Louise Powell McLafferty, Clarks Summit, resigned.

TOM CORBETT
Governor

MAGISTERIAL DISTRICT JUDGE

December 2, 2014

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as Magisterial District Judge, in and for the County of York, Magisterial District 19-1-02, to serve until the first Monday of January 2016, vice The Honorable Richard E. Martin, II, resigned.

TOM CORBETT
Governor

MEMBER OF THE APPALACHIAN STATES LOW-LEVEL RADIOACTIVE WASTE COMMISSION

December 15, 2014

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Bryan Troop (Voting Member), 155 Foxchase Drive, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice The Honorable E. Christopher Abruzzo, Hershey, resigned.

TOM CORBETT
Governor

SECRETARY OF ENVIRONMENTAL PROTECTION

December 15, 2014

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Bryan Troop, 155 Foxchase Drive, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, for appointment as Secretary of Environmental Protection, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable E. Christopher Abruzzo, Hershey, resigned.

TOM CORBETT
Governor

JUDGE, COURT OF COMMON PLEAS, YORK COUNTY

December 15, 2014

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, York County, to serve until the first Monday of January 2016, vice The Honorable Sheryl Ann Dorney, resigned.

TOM CORBETT
Governor

JUDGE, PHILADELPHIA MUNICIPAL COURT

December 15, 2014

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Philadelphia Municipal Court, to serve until the first Monday of January 2016, *[data missing]* The Honorable Joseph C. Waters, Jr., resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF MEDICINE

December 15, 2014

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Bryan Troop (Public Member), 155 Foxchase Drive, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the State Board of Medicine, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Rabbi Solomon Isaacson, Philadelphia, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION

December 15, 2014

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve until October 16, 2015, and until her successor is appointed and qualified, vice Barbara Butcher, Wellsboro, resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD
OF OSTEOPATHIC MEDICINE

December 15, 2014

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Jon Anzur, 71 Kelly Drive, Carlisle 17015, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Osteopathic Medicine, to serve until October 15, 2016, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Maria DeMario, Media, resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF PODIATRY

December 15, 2014

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephanie Moore (Public Member), 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as a member of the State Board of Podiatry, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Barbara Wiggin, Mechanicsburg, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE STATE REGISTRATION BOARD
FOR PROFESSIONAL ENGINEERS, LAND
SURVEYORS AND GEOLOGISTS

December 15, 2014

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Jon Anzur (Public Member), 71 Kelly Drive, Carlisle 17015, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, to serve until March 31, 2015, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Joseph Mackey, Mount Bethel, resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF
CERTIFIED REAL ESTATE APPRAISERS

December 15, 2014

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Jon Anzur, 71 Kelly Drive, Carlisle 17015, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Certified Real Estate Appraisers, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, *[data missing]* Paul Kaufman, Wexford, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF VEHICLE
MANUFACTURERS, DEALERS AND SALESPERSONS

December 15, 2014

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Jon Anzur, 71 Kelly Drive, Carlisle

17015, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve until October 1, 2016, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice John Hickey, Mechanicsburg, resigned.

TOM CORBETT
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF WHITE HAVEN CENTER**

December 15, 2014

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as a member of the Board of Trustees of White Haven Center, to serve until the third Tuesday of January 2015, and until her successor is appointed and qualified, vice Donald Karpowich, Drums, resigned.

TOM CORBETT
Governor

**MEMBER OF THE PENNSYLVANIA
GAME COMMISSION**

January 6, 2015

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, James R. Daley, PMP, (District 1), 249 Jaclyn Drive, Cranberry Township 16066, Butler County, Twenty-first Senatorial District, for appointment as a member of the Pennsylvania Game Commission, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Ralph A. Martone, New Castle, whose term expired.

TOM CORBETT
Governor

**COMMONWEALTH TRUSTEE OF THE UNIVERSITY
OF PITTSBURGH OF THE COMMONWEALTH
SYSTEM OF HIGHER EDUCATION**

January 6, 2015

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Morgan K. O'Brien, 151 Fort Pitt Boulevard, Pittsburgh 15222, Allegheny County, Forty-second Senatorial District, for reappointment as Commonwealth Trustee of the University of Pittsburgh of the Commonwealth System of Higher Education, to serve until October 5, 2018, and until his successor is appointed and qualified.

TOM CORBETT
Governor

**MEMBER OF THE PENNSYLVANIA
BOARD OF PROBATION AND PAROLE**

January 6, 2015

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Heather D. Martin, 1535 North Jefferson Court, Lancaster 17602, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the Pennsylvania Board of Probation and Parole, to serve until October 3, 2018, or until her successor is appointed and qualified, but not longer than ninety days beyond that period, vice Randy Feathers, Altoona, resigned.

TOM CORBETT
Governor

**MEMBER OF THE PUBLIC EMPLOYEE
RETIREMENT COMMISSION**

January 6, 2015

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John J. Egan, Jr., 309 Whitmarsh Valley Road, Fort Washington 19034, Montgomery County, Seventh Senatorial District, for reappointment as a member of the Public Employee Retirement Commission, to serve until October 27, 2020, and until his successor is appointed and qualified.

TOM CORBETT
Governor

GENERAL COMMUNICATIONS

**HAZARDOUS SITES CLEANUP FUND
ANNUAL REPORT**

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA
Department of Environmental Protection
Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063

October 24, 2014

Ms. Megan Totino Consedine
Secretary-Parliamentarian
Senate Post Office Box 203053
Harrisburg, PA 17120-3053

Dear Ms. Consedine:

The Department of Environmental Protection (DEP) is pleased to present to you its Hazardous Sites Cleanup Fund Annual Report. This report summarizes DEP's accomplishments under the Hazardous Sites Cleanup Act, which provides DEP with the ability to immediately respond to spills of hazardous substances thereby eliminating threats to public health and the environment.

As provided in the Hazardous Sites Cleanup Fund Funding Act, DEP is distributing the report electronically and providing a link for accessing the report online. The report can be found on DEP's Website

at www.dep.state.pa.us, keyword "HSCA." From that page, click on "Remediation Services" to locate the report.

Thank you for your interest in this report and for continuing to partner with DEP to promote a clean environment and safe community for all Pennsylvanians.

Respectfully,

DANA K. AUNKST
Acting Secretary

The PRESIDENT. This report will be filed in the Library.

COVERED DEVICE RECYCLING ACT 2012-13 REPORT

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA
Department of Environmental Protection
Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063

November 13, 2014

Ms. Megan Totino Consedine
Secretary-Parliamentarian of the Senate
Senate Post Office Box 203053
Harrisburg, PA 17120-3053

Dear Ms. Consedine:

The Department of Environmental Protection (DEP) is pleased to present to you its Covered Device Recycling Act (CDRA) Report for calendar years 2012 and 2013. This report summarizes the electronics recycling achievements made in 2012 and 2013, evaluates the challenges of the CDRA and illustrates the efforts to divert unwanted electronic equipment from landfills through implementation of the act.

As provided in the CDRA, DEP is submitting the report to the General Assembly and posting the report on the DEP Web site. The report can be found at www.dep.state.pa.us, keyword "electronics recycling."

Thank you for your interest in this report and for continuing to partner with DEP to promote a clean environment and safer communities for all Pennsylvanians.

Sincerely,

DANA K. AUNKST
Acting Secretary

The PRESIDENT. This report will be filed in the Library.

INDEPENDENT FISCAL OFFICE'S ASSESSMENT OF THE STATE'S FISCAL CONDITION AND PROJECTION

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA
Independent Fiscal Office
Second Floor, Rachel Carson State Office Building
400 Market Street
Harrisburg, Pennsylvania 17105

November 14, 2014

The Honorable Joseph B. Scarnati, III
President Pro Tempore
Senate of Pennsylvania

291 Main Capitol Building
Harrisburg, PA 17120

The Honorable Samuel H. Smith
Speaker
Pennsylvania House of Representatives
139 Main Capitol Building
Harrisburg, PA 17120

Dear Sirs:

Enclosed please find a copy of the Independent Fiscal Office's assessment of the state's current fiscal condition and a projection of what the fiscal condition will be during the next five years. The enclosed report, entitled *Pennsylvania's Economic and Budget Outlook: Fiscal Years 2014-15 to 2019-20*, was produced in accordance with 71 Pa.C.S. §4104.

Sincerely,

MATTHEW J. KNITTEL
Director

The PRESIDENT. This report will be filed in the Library.

2013-14 ANNUAL REPORT OF THE PENNSYLVANIA ENERGY DEVELOPMENT AUTHORITY

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063

November 18, 2014

Megan Totino Consedine
Secretary of the Senate
Senate Post Office Box 203053
Harrisburg, PA 17120-3053

Dear Ms. Consedine:

On behalf of the Board of Directors, I have enclosed the 2013-2014 Annual Report of the Pennsylvania Energy Development Authority (PEDA). This report is required by section 5 of the Pennsylvania Energy Development Authority and Emergency Powers Act, Act of December 14, 1982, P.L. 1213, No. 280, as amended, §§ 71 P.S. 720.1 *et seq.*

This year, PEDA revised the 2008 Energy Development Plan to remove outdated references and incorporate current data from Governor Corbett's recently published State Energy Plan. The 2014 PEDA Energy Development Plan was published as final on August 16, 2014.

PEDA also released a 2014 financial assistance offering making \$12.5 million of funding available to projects deploying advanced energy technologies as described in the Energy Development Plan. \$10 million was planned to be used for Advanced Energy Projects and \$2.5 million for clean alternative fuels, alternative energy manufacturing and Alternative Energy Research. Applications were received from June 14, 2014 until August 15, 2014. The solicitation resulted in 184 applications requesting over \$81M in funding. On October 22, 2014 PEDA approved grants to 28 local governments, schools and businesses for alternative and clean energy projects, along with projects deploying technologies such as solar energy, hydropower, bio-mass and energy efficiency.

If you have any questions, please contact Tom Santanna, Director of Legislative Affairs, by email at tsantanna@pa.gov or by telephone at 717.783.8303.

Sincerely,

DANA K. AUNKST
Acting Secretary

The PRESIDENT. This report will be filed in the Library.

**2013-14 ANNUAL REPORT OF THE
PENNSYLVANIA STATE CIVIL
SERVICE COMMISSION**

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA
State Civil Service Commission
P.O. Box 569
320 Market Street
Harrisburg, PA 17108-0569

November 24, 2014

Since the inception of the Commonwealth's merit system of employment, the State Civil Service Commission (SCSC) has conscientiously pursued its mission to promote efficient, effective government services by recruiting and maintaining a qualified, professional workforce at the state and local governmental levels based solely upon applicants' abilities and qualifications to perform the jobs. The Commission is committed to administering Pennsylvania's merit employment system as fairly and equitably as possible to all customers--client agencies, employees, jobseekers and all Commonwealth citizens.

It is with this core mission in mind that I am honored to release the Commission's Fiscal Year (FY) 2013-14 Annual Report. This report highlights the Commission's achievements as well as its ongoing efforts to promote, strengthen and improve the delivery of merit employment services.

During FY 2013-2014, the Commission continued to meet its obligations and pursue innovative solutions to improve the delivery of customer services. Fallout from the prior nationwide recession and subsequent state fiscal constraints have necessitated the SCSC to initiate a comprehensive internal review of its operations. This review resulted in 26 program innovation recommendations, several of which have already been adopted. The remaining recommendations require either a statutory change, regulatory rule change or both in order to be implemented. The Commission will continue to explore options and opportunities to implement the remaining recommendations.

In conjunction with the Governor's Office of Administration (OA), the Commission will participate in the OA's "HR and Merit System Service Delivery Initiative." The purpose of the initiative is to conduct a comprehensive, enterprise-wide review of the delivery of Commonwealth human resources and merit employment services by identifying best practices and exploring available technologies to improve the delivery of these services.

Although another year has passed and much has been accomplished, there is much more to be done. We eagerly look ahead to FY 2014-15 and our efforts to identify additional opportunities to implement efficiencies in the delivery of Commission services and to develop more ways to enhance the customer service experience of client agencies, jobseekers and the general public.

As always, I would like to acknowledge Commission staff for their hard work. Their unwavering commitment to public service and the delivery of exceptional customer services during another challenging fiscal year is appreciated. Without their continuous efforts, the Commission could not accomplish its important work.

Finally, I would like to acknowledge and thank you - jobseekers, employees, client agencies, legislators, Governor and general public - for your continued commitment and support to the principles of a viable merit system of employment for state and local government job opportunities. Without this support, commitment and understanding of the critical importance of promoting a merit service employment system that maintains a professional workforce, the Commission would not be able to successfully fulfill its statutory mission.

Sincerely,

JEFFREY T. WALLACE
Executive Director

The PRESIDENT. This report will be filed in the Library.

**BIENNIAL REPORT OF THE PUBLIC EMPLOYEE
RETIREMENT COMMISSION ON LOCAL
GOVERNMENT PENSION PLANS**

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA
Public Employee Retirement Commission
P.O. Box 1429, Harrisburg, PA 17105-1429

December 17, 2014

Ms. Megan Consedine
Secretary of the Senate
Senate of Pennsylvania
Commonwealth of Pennsylvania
462 Main Capitol
Harrisburg, PA 17120

Dear Ms. Consedine:

The Commission is providing its fifteenth biennial report on the status of the Commonwealth's 3,200 local government pension plans for your review and information. These regularly issued status reports are an essential component of the oversight of local government pension plans exercised by the Governor and General Assembly. This oversight is warranted because Pennsylvania's pension plans for local government employees, when viewed in the aggregate, represent one of the largest retirement systems in the nation.

In conjunction with its mandated responsibility to coordinate policy development for the Commonwealth's public employee retirement systems, the Commission endeavors to use the status reports on local government pension plans to focus the attention of State policymakers on the specific issues and reform measures that it views as warranting attention. More than two decades have passed since the first status report was issued pursuant to the Municipal Pension Plan Funding Standard and Recovery Act (Act 205 of 1984), and the Commission believes it is time for the Commonwealth to move beyond that landmark municipal pension reform statute.

First, the provisions of Act 205 of 1984 need to be updated to reflect the passage of time and expanded to accommodate new circumstances. Second, legislation to begin the necessary consolidation of municipal pension plans needs to be enacted. And finally, the pension plan reporting standards applicable to all cities, boroughs, townships and authorities need to be extended to counties.

On behalf of the Commission, I am hopeful that you will find this report to be informative and useful.

Sincerely,

JOHN T. DURBIN
Chairman

The PRESIDENT. This report will be filed in the Library.

**eHEALTH PARTNERSHIP AUTHORITY
ANNUAL REPORT AND FINANCE STATEMENT**

The PRESIDENT laid before the Senate the following communications, which were read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania eHealth Partnership Authority
402-A Finance Building, 613 North Street
Harrisburg, PA 17120

To: Governor Tom Corbett
 Senator Joe Scarnati, President Pro Tempore
 Representative Mike Turzai, Speaker
 From: Alexandra (Alix) Goss, Executive Director
 Date: December 22, 2014
 Subject: Pennsylvania eHealth Partnership Authority Annual Report

In compliance with Section 303(a)15 of the Pennsylvania eHealth Information Technology Act (Act 121 of 2012), I am pleased to enclose the 2014 Annual Report of the Pennsylvania eHealth Partnership Authority.

Please do not hesitate to contact me if you need additional information about the Authority's work. I can be reached at algoss@pa.gov. The Authority phone number is (717) 214-2490.

INDEPENDENT AUDITORS' REPORT
 Zelenkofske Axelrod LLC
 830 Sir Thomas Court, Suite 100
 Harrisburg, PA 17109

October 1, 2014

Board of Directors
 Pennsylvania eHealth Partnership Authority
 Harrisburg, Pennsylvania

We have audited the accompanying financial statements of the business-type activities of the PENNSYLVANIA eHEALTH PARTNERSHIP AUTHORITY ("The Authority"), a component unit of the Commonwealth of Pennsylvania, as of and for the year ended June 30, 2014, and the related notes to the financial statements, which collectively comprise the Authority's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the business-type activities of the Authority as of June 30, 2014, and the changes in financial position and cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Adoption of Governmental Accounting Standards Board Statements

As discussed in Note 1 to the financial statements, during the year ending June 30, 2014, The Authority adopted the provisions of Govern-

mental Accounting Standards Board's Statement No. 65, *"Items Previously Reported as Assets and Liabilities"*, Statement No. 66, *"Technical Corrections - 2012 - An Amendment of GASB Statements No. 10 and No. 62"*, Statement No. 67, *"Financial Reporting for Pension Plans - an amendment of GASB Statement No. 25"*, and Statement No. 70 *"Accounting and Financial Reporting for Nonexchange Financial Guarantees"*. Our opinion is not modified with respect to these matters.

Other Matters

Omission of Management's Discussion and Analysis

Management has omitted the management's discussion and analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

ZELENKOFSCHE AXELROD
 LLC

The PRESIDENT. These reports will be filed in the Library.

ANNUAL REPORT ON AUTO INSURANCE STATISTICS

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA
 Insurance Department
 1326 Strawberry Square
 Harrisburg, PA 17120

December 22, 2014

Honorable Members of the Pennsylvania General Assembly
 Commonwealth of Pennsylvania
 Harrisburg, PA 17120

Re: Pennsylvania Insurance Department's Annual Report on Section 1723 of Title 75 - Motor Vehicle Financial Responsibility Law

Dear Member of the General Assembly:

Pursuant to Section 1723 of Title 75 (Motor Vehicle Financial Responsibility Law), the Insurance Department is pleased to present the annual report of various automobile insurance statistics. For your convenience the report is attached.

Should any questions arise regarding these statistics or if you would like a hard copy of the report, members should feel free to contact me, Executive Deputy Commissioner Randy Rohrbach, or the Department's Legislative Director Kristen Erway at (717) 783-2005.

Sincerely,

MICHAEL F. CONSEDINE
 Insurance Commissioner

The PRESIDENT. This report will be filed in the Library.

FIVE YEAR REPORT ON THE EFFECTS OF SUBSIDENCE RESULTING FROM UNDERGROUND BITUMINOUS COAL MINING

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA
 Department of Environmental Protection
 Rachel Carson State Office Building
 P.O. Box 2063
 Harrisburg, PA 17105-2063

December 22, 2014

Ms. Megan Totino Consedine
 Secretary - Parliamentarian
 Senate of Pennsylvania
 Senate Post Office Box 203053
 Harrisburg, PA 17120-3053

Dear Ms. Consedine:

I am pleased to present you with 51 copies (one paper copy and 50 compact disks) of a report titled, *The Effects of Subsidence Resulting from Underground Bituminous Coal Mining, 2008-2013*. This report, which is required by Section 18.1 of the Bituminous Mine Subsidence and Land Conservation Act (BMSLCA), was prepared by the University of Pittsburgh on our behalf.

The report describes the effects of underground mining during the period August 21, 2008 to August 20, 2013. This is the fourth report prepared pursuant to Section 18.1, which was added to the BMSLCA by statutory amendment in 1994. Section 18.1 requires the Department of Environmental Protection (DEP) to compile information from permit applications, monitoring reports, enforcement actions and other appropriate sources and to analyze this information, utilizing the services of recognized experts, for the purpose of determining, to the extent possible, the effects of underground mining on surface structures and features of water resources, including sources of public and private water supplies. Section 18.1 further provides that an analysis of this information and any relevant findings be presented in the form of a report to the Governor, the General Assembly and Citizens Advisory Council (of DEP) at five-year intervals commencing in 1993.

The reporting requirement in Section 18.1 was added in conjunction with other statutory amendments that effectively changed the focus of Pennsylvania's subsidence regulatory program in 1994. These amendments imposed new provisions requiring mine operators to repair or compensate for subsidence damage to many different types of structures and to replace water supplies affected by their underground mining operations. The amendments also repealed former provisions that afforded absolute protection to dwellings in place on April 27, 1966, and gave property owners the right to purchase coal support for their structures. The reporting requirement in Section 18.1 was included to allow the Governor, General Assembly and Citizens Advisory Council to evaluate the effects of the 1994 amendments.

The University of Pittsburgh has done a commendable job of analyzing the information contained in DEP files and databases and gathering supplemental information needed to assess the effects of underground mining. The University was selected to perform these services because it employs faculty and research staff with the expertise in biology, geology, hydrology and other fields germane to these analyses. The use of University researchers also presented an opportunity to have these analyses performed in a truly independent manner.

I trust that you will find the report informative. Copies of this report will be made available to the general public through DEP's Web site and on compact disks (CDs).

Respectfully,

DANA K. AUNSKT
 Acting Secretary

The PRESIDENT. This report will be filed in the Library.

ANNUAL REPORT ON THE WIRETAPPING AND ELECTRONIC SURVEILLANCE CONTROL ACT

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

SUPREME COURT OF PENNSYLVANIA
 Administrative Office of Pennsylvania Courts
 1515 Market Street, Suite 1414
 Philadelphia, PA 19102

December 31, 2014

Ms. Megan Totino Consedine
 Secretary/Parliamentarian of the Senate
 462 Capitol Building
 Harrisburg, PA 17120-3053

Dear Ms. Consedine:

In accordance with Section 5723(d) of the Wiretapping and Electronic Surveillance Control Act, 18 Pa.C.S. §5723(d), I forward herewith the required annual report.

Very truly yours,

RONALD D. CASTILLE
 Chief Justice of Pennsylvania

The PRESIDENT. This report will be filed in the Library.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

The PRESIDENT. The Chair wishes to announce the President pro tempore has made the following appointments:

Senator Richard L. Alloway as a member of the Pennsylvania Military Community Enhancement Commission.

Senator David G. Argall as Majority Policy Chairman.

Senator Charles T. McIlhinney as Majority Caucus Administrator.

Senator Gene Yaw as a member of the Aggregate Advisory Board and as a member of the Chesapeake Bay Commission.

Ms. Michelle A. Brown as Staff Administrator for the Majority Caucus.

Mr. John Verbanac as a Commonwealth Trustee of the University of Pittsburgh.

APPOINTMENT BY THE MINORITY LEADER

The PRESIDENT. The Chair wishes to announce the Minority Leader has made the following appointment:

Mr. Anthony Lepore as Staff Administrator to the Senate Democratic Caucus.

PETITIONS AND REMONSTRANCES

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

Senator KITCHEN. Mr. President, I presented my resolution and I prefer to have my remarks on Petitions and Remonstrances when we come back.

The PRESIDENT. The Chair recognizes the gentleman from Cambria, Senator Wozniak.

Senator WOZNIAK. Mr. President, I first would like to congratulate all of the re-elected and especially the newly elected Members of the Senate. I look forward to working with you. I know we live in a cynical world now and people do not realize the responsibility and the awesome concern that each individual takes. I look forward to spirited debate, compromise, and consensus in the upcoming year.

What I do want to do is, since this is January 6 and I am an Orthodox Christian, today is Christmas Eve, tomorrow is my Christmas and, obviously, I am here at the Capitol. I want to wish all of those of the Orthodox faith a Merry Christmas and a Christos Razdajetsja.

Thank you very much, Mr. President.

RECESS

The PRESIDENT. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, I move that the Senate do now recess until Tuesday, January 20, 2015, at 10 a.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 3:04 p.m., Eastern Standard Time.