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Legislative Journal

TUESDAY, JANUARY 1, 2019

SESSION OF 2019 203RD OF THE GENERAL ASSEMBLY

No. 1

SENATE

TUESDAY, January 1, 2019

The PRESIDENT. This being the constitutional day and hour for the convening of this 203rd Regular Session of the General Assembly.

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

ANNOUNCEMENT BY THE PRESIDENT

The PRESIDENT. Senators and guests will please take their seats. For the safety of the Senators and guests, in compliance with the wishes of the State Fire Commissioner, 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 to it that there are no standees.

PRAYER

The Chaplain, Reverend EDWARD J. KEATING, of Seven Sorrows of the Blessed Virgin Mary Church, Middletown, offered the following prayer:

In the name of the Father, the Son, and the Holy Spirit, amen.
Lord, we believe in You. Help us to believe more firmly. We trust in You. Help us to trust more surely. Enlighten our minds, strengthen our wills, purify our hearts, and sanctify our spirits. Teach us to obey those in authority, serve those under our care, look after our family and friends, and forgive our enemies. Make us prudent in planning, unwavering in danger, keep us attentive in prayer, moderate in food and drink, energetic in our work, and firm in our resolutions. Help us to be known as great givers, always generous, kind, and looking out for the needs of others. Shine Your light in us, through us, over us, and help each one of us to make a difference in this world.

I conclude with the blessing from Numbers 6:24-26: May the Lord bless you and keep you, may the Lord make his face shine upon you and be gracious to you, and may the Lord look kindly upon you and give you his peace. In the name of the Father, the Son, and the Holy Spirit, amen.

The PRESIDENT. The Chair thanks Father Keating for a very beautiful prayer, and he is the guest today of Senator Folmer.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was recited by those assembled, led by the gentlewoman from Blair, Senator-elect J. Ward.)

ANNOUNCEMENT BY THE PRESIDENT

The PRESIDENT. 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 the 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 administration of the oath of office, stay at the bar for a few minutes for the convenience of any person who would desire to take pictures. The rest of us will be at ease for those few minutes. The Chair also advises the Members that PennLive *Patriot-News* has been given permission to take still photographs during today's ceremony.

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 Jonathan Marks, the Commissioner of the Pennsylvania Department of State's Bureau of Commissions, Elections, and Legislation.

Commissioner MARKS. Mr. President, I have the honor to present the returns and the statements of campaign expense compliance for the offices of Governor, Lieutenant Governor, and Senator in the General Assembly for the election held on November 6, 2018.

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:

| | | |
|--------------|---|-------------------|
| Philadelphia | SECOND SENATORIAL DISTRICT Christine M. Tartaglione (D) | 58,717 |
| Montgomery | FOURTH SENATORIAL DISTRICT Arthur L. Haywood III (D) Ronald F. Holt (R) | 110,147 17,068 |
| Bucks | SIXTH SENATORIAL DISTRICT Robert M. Tomlinson (R) Tina Davis (D) | 54,382 54,308 |
| Philadelphia | EIGHTH SENATORIAL DISTRICT Anthony H. Williams (D) | 86,092 |
| Bucks | TENTH SENATORIAL DISTRICT Steven J. Santarsiero (D) Marguerite C. Quinn (R) | 67,438 60,935 |

| | | |
|-----------------------------------|---------------------------------|--------|
| TWELFTH SENATORIAL DISTRICT | | |
| Montgomery | Maria Collett (D) | 62,069 |
| | Stewart Greenleaf, Jr. (R) | 55,742 |
| FOURTEENTH SENATORIAL DISTRICT | | |
| Luzerne | John T. Yudichak (D) | 51,521 |
| SIXTEENTH SENATORIAL DISTRICT | | |
| Lehigh | Patrick M. Browne (R) | 48,897 |
| | Mark Pinsley (D) | 46,200 |
| EIGHTEENTH SENATORIAL DISTRICT | | |
| Northampton | Lisa M. Boscola (D) | 65,705 |
| TWENTIETH SENATORIAL DISTRICT | | |
| Luzerne | Elisabeth J. Baker (R) | 67,350 |
| | John J. Sweeney (G) | 14,467 |
| TWENTY-SECOND SENATORIAL DISTRICT | | |
| Lackawanna | John P. Blake (D) | 59,249 |
| | Frank J. Scavo III (R) | 37,363 |
| TWENTY-FOURTH SENATORIAL DISTRICT | | |
| Montgomery | Robert Bruce Mensch (R) | 54,586 |
| | Linda Fields (D) | 49,558 |
| TWENTY-SIXTH SENATORIAL DISTRICT | | |
| Delaware | Timothy P. Kearney (D) | 65,660 |
| | Thomas J. McGarrigle, Sr. (R) | 55,287 |
| TWENTY-EIGHTH SENATORIAL DISTRICT | | |
| York | Kristin Lee Phillips-Hill (R) | 62,380 |
| | Judith A. McCormick Higgins (D) | 37,105 |
| THIRTIETH SENATORIAL DISTRICT | | |
| Blair | Judith F. Ward (R) | 63,611 |
| | Emily Garbuny Best (D) | 23,684 |
| THIRTY-SECOND SENATORIAL DISTRICT | | |
| Fayette | Patrick J. Stefano (R) | 54,417 |
| | Pamela Gerard (D) | 28,371 |
| THIRTY-FOURTH SENATORIAL DISTRICT | | |
| Centre | Jacob D. Corman III (R) | 49,259 |
| | Ezra J. Nanes (D) | 39,075 |
| THIRTY-SIXTH SENATORIAL DISTRICT | | |
| Lancaster | Ryan Patrick Aument (R) | 69,851 |
| | William N. Troutman, Jr. (D) | 35,280 |
| THIRTY-EIGHTH SENATORIAL DISTRICT | | |
| Allegheny | Lindsey Marie Williams (D) | 62,361 |
| | Jeremy Kevin Shaffer (R) | 61,568 |
| FORTIETH SENATORIAL DISTRICT | | |
| Monroe | Mario M. Scavello (R) | 54,783 |
| | Tarah Dorothea Probst (D) | 42,396 |
| | Adam Reinhardt (L) | 1,251 |
| FORTY-SECOND SENATORIAL DISTRICT | | |
| Allegheny | Wayne D. Fontana (D) | 86,288 |
| FORTY-FOURTH SENATORIAL DISTRICT | | |
| Montgomery | Katie J. Muth (D) | 62,692 |
| | John C. Rafferty, Jr. (R) | 57,943 |
| FORTY-SIXTH SENATORIAL DISTRICT | | |
| Washington | Camera C. Bartolotta (R) | 55,527 |
| | James R. Craig (D) | 38,908 |
| FORTY-EIGHTH SENATORIAL DISTRICT | | |
| Lebanon | Michael J. Folmer (R) | 60,357 |
| | Lois K. Herr (D) | 35,545 |

| | | |
|------------------------------|--------------------|--------|
| FIFTIETH SENATORIAL DISTRICT | | |
| Mercer | Michele Brooks (R) | 55,648 |
| | Sue Ann Mulvey (D) | 29,125 |

*Party Designation - (D) Democrat, (G) Green, (L) Libertarian, (R) Republican

Whereupon, the following named persons were declared duly elected Senators in the General Assembly of the Commonwealth of Pennsylvania:

Second District—Christine M. Tartaglione
 Fourth District—Arthur L. Haywood III
 Sixth District—Robert M. Tomlinson
 Eighth District—Anthony H. Williams
 Tenth District—Steven J. Santarsiero
 Twelfth District—Maria Collett
 Fourteenth District—John T. Yudichak
 Sixteenth District—Patrick M. Browne
 Eighteenth District—Lisa M. Boscola
 Twentieth District—Elisabeth J. Baker
 Twenty-second District—John P. Blake
 Twenty-fourth District—Robert Bruce Mensch
 Twenty-sixth District—Timothy P. Kearney
 Twenty-eighth District—Kristin Lee Phillips-Hill
 Thirtieth District—Judith F. Ward
 Thirty-second District—Patrick J. Stefano
 Thirty-fourth District—Jacob D. Corman III
 Thirty-sixth District—Ryan Patrick Aument
 Thirty-eighth District—Lindsey Marie Williams
 Fortieth District—Mario M. Scavello
 Forty-second District—Wayne D. Fontana
 Forty-fourth District—Katie J. Muth
 Forty-sixth District—Camera C. Bartolotta
 Forty-eighth District—Michael J. Folmer
 Fiftieth District—Michele Brooks

STATEMENT BY THE PRESIDENT

The PRESIDENT. For the record, the Chair has been informed by the Acting Secretary of the Commonwealth that all of the Senators-elect have filed in his office the accounts and affidavits as required by the election laws.

ADMINISTRATION OF OATH OF OFFICE TO REPUBLICAN SENATORS-ELECT

Th 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 a distinct honor and a privilege to once again have with us today from the Supreme Court the Chief Justice of the Supreme Court, the Honorable Thomas G. Saylor. Justice Saylor has kindly 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 to the Republican Senators-elect by Justice Saylor.

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

Will everyone please rise.

For the Senators' information, the mics are hot. That is a big favor, I think.

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, Governor. Would you each place your left hand on your Bible, raise your right hand, and repeat after me:

I, (state your name), 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. Folks, please be seated while we pause for the taking of photographs.

(The Senate was at ease.)

ADMINISTRATION OF 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 elected and re-elected Democratic Senators. It is an honor and a privilege to have with us another distinguished member of the Supreme Court from my home county of Philadelphia, the Honorable Kevin M. Dougherty. Justice Dougherty 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 of the Democratic Senators-elect please present yourselves in front of the rostrum with your Bibles.

Will everyone please rise. I have the honor of presenting Justice Dougherty, who will administer the oath of office to the Democratic Senators-elect.

Justice DOUGHERTY. Thank you. Senators, place your left hand on your Bible and raise your right hand. Repeat after me:

I, (state your name), 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 my duties with fidelity.

Congratulations.

(Applause.)

The PRESIDENT. Folks, please be seated while photographs are being taken, and the Senate will be at ease for a reasonable amount of time.

(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—Sharif T. Street
Fourth District—Arthur L. Haywood III
Fifth District—John. P. Sabatina, Jr.
Sixth District—Robert M. Tomlinson

Seventh District—Vincent J. Hughes
Eighth District—Anthony Hardy Williams
Tenth District—Steven J. Santarsiero
Eleventh District—Judith L. Schwank
Twelfth District—Maria Collett
Thirteenth District—Scott F. Martin
Fourteenth District—John T. Yudichak
Fifteenth District—John M. DiSanto
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—Timothy P. Kearney
Twenty-seventh District—John R. Gordner
Twenty-eighth District—Kristin Phillips-Hill
Twenty-ninth District—David G. Argall
Thirtieth District—Judith F. Ward
Thirty-first District—Michael R. Regan
Thirty-second District—Patrick J. Stefano
Thirty-third District—Richard L. Alloway II
Thirty-fourth District—Jake Corman
Thirty-fifth District—Wayne Langerholc, Jr.
Thirty-sixth District—Ryan P. Aument
Thirty-eighth District—Lindsey Williams
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—Katie J. Muth
Forty-fifth District—James R. Brewster
Forty-sixth District—Camera C. Bartolotta
Forty-eighth District—Mike Folmer
Forty-ninth District—Daniel J. Laughlin
Fiftieth District—Michele Brooks

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

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 several Sessions ago, that if there is only one candidate for each of the offices, the Chair will dispense with the calling of the roll and ask for a voice vote on the nomination. It will be much quicker. Is there any objection to that? The Chair hears no objection.

ELECTION OF PRESIDENT PRO TEMPORE

The PRESIDENT. The next order of business before the Senate will be the election of the President pro tempore of the Senate—I feel like I am doing this every week—for the 2019 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, I will be brief. Today is a holiday, it is a festive day for all the new Members, and all the Members of the Senate being sworn in, and I know people want to get to those festivities of the day, and not to mention that the Penn State game kicks off in 25 minutes. So, we will keep moving along.

Mr. President, last November the voters of Pennsylvania, for the 20th consecutive election cycle, elected a majority of Senate Republicans to this Chamber. As great of an accomplishment that may be for us, for the people of Pennsylvania, they do not really care. People of Pennsylvania do not care if we are Republicans or Democrats or whether we are from rural, urban, or suburban Pennsylvania, the people of Pennsylvania care about, are we getting things done? The first act for us to get things done around here is to elect a President pro tempore. 2006 was the first time we were honored to elect Joe Scarnati to the office of President pro tempore, and he stood at that dais the first day and said, we will be judged by our results. It does not matter what we are for or what we want to do, if we do not get it done, then we have failed.

Well, since that day, Mr. President, we have enacted some historic legislation. We have enacted public pension reform, which is now the leading reform bill in the country. We enacted medical marijuana legislation, which has given hope to hundreds of thousands of people with ailments to get relief from those ailments. We have increased by four times, to over \$200 million, our educational improvement tax credit, which has given hundreds of thousands of kids the opportunity to go to a school of their choice. We have enacted transportation infrastructure reform, which has gone to build our bridges, our roads, mass transit, even bike paths. Mr. President, even within the Senate and how we operate, we have been able to reduce our allotment over the years of staff; we have reduced our healthcare costs, trying to live within our means, just like the people of Pennsylvania asked. That has all been led by the President pro tempore, Joe Scarnati. And, most importantly, Mr. President, I think almost every one of those pieces of legislation I mentioned passed either unanimously or near unanimously, because they were good for the Commonwealth of Pennsylvania.

For those reasons, and many, many more, it is my honor to place into nomination the name of Joseph B. Scarnati to the office of President pro tempore.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, as a University of Pittsburgh trustee, my remarks will be very lengthy.

The PRESIDENT. Thank you, Senator.

Senator COSTA. Mr. President, I rise today to second the nomination of my good friend and longtime colleague, Senator Joe Scarnati, to serve as the President pro tempore for the 2019-20 Session. As we all know, the job of President pro tempore is a difficult one. It requires a person of vision, a person who can put the interest of the Senate, this body, its Members and its staff above partisan and personal considerations. The President pro tempore is entrusted with running this Chamber, as

mentioned, and it truly is an awesome responsibility. It is the position of this body, which one of its own Members, one who is elected as one of Pennsylvania's 50 State Senators, is then elected again in a bipartisan way by all of his colleagues here to serve the whole Senate. The position is unique, and the person who serves in that capacity must be open, resilient, and experienced. As was mentioned, managing the affairs of this body, balancing requests from Members, insuring that every Member and their staffs, all who have business before this body, are all treated fairly, and that must be a priority of that particular person. The President pro tempore should make decisions with an eye on which is best for the Senate as an institution. Here in the Senate of Pennsylvania we are very fortunate. We have such a person in Senator Joe Scarnati.

Over the years, Senator Scarnati has proven to be fair and balanced, attentive to the needs of the Members, and a defender of the Senate as an institution. He is an experienced Leader who not only served this body well as President pro tempore since December of 2006, but also someone who served this great Commonwealth as its 31st Lieutenant Governor. Mr. President, while there have been tough policy and personnel decisions made by President pro tempore Scarnati, and at times there were decisions that were strenuously opposed, we never felt--our Caucus never felt that we were not given a chance to put forth an argument or propose an alternative.

Pennsylvania, as you know, and the folks here know, is a large, modern State with vast trenches and stretches of rural expanses mixed with suburbs that combine with urban areas, and we all look at things differently many times based upon our own life experiences. We are diverse and energetic, but we all have one thing we are all seeking for our citizens, and that is making certain that their needs are met. Our Members, Mr. President, as we saw over the course of the past couple of years, are challenged each and every day by new issues and new perspectives, and that is why we need a Leader who can bring the best of each of us together and bring out the best of all of us, a Leader who can seek and achieve a common goal and common ground. Senator Scarnati knows that leadership is not about grandstanding, it is about being unafraid to lead, being unafraid to share and learn and explore new ground. Senator Scarnati's proven leadership, his experience, his commitment, and his love of this institution and his ability to bring us together has paid dividends for all of us in this Chamber and for this Commonwealth as a whole.

We will have many things and many trying times as we go forward over the course of the next year and next Session, but under Senator Scarnati's leadership I am certain that we collectively are up to the task, and he is up to the task, to help us confront those issues in a fair and appropriate way. So today, Mr. President, it is my distinct honor to second the nomination of Senator Joe Scarnati for President pro tempore of the Senate for the 2019-20 legislative Session.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Lancaster, Senator Martin.

Senator MARTIN. Mr. President, it is my honor to second the nomination of my colleague Senator Joseph Scarnati to serve as President pro tempore of the Senate. The office of President pro tempore was created in the Pennsylvania Constitution in 1874, and think about all the issues that have been debated over that time. There have been plenty of good years, and I am sure there

were plenty of tough years as well, but leadership is not just about what you do with clear skies and calm seas. That is the easy part. Real leadership shows when times are particularly gruelling. In just my first 2 years in the Senate, we faced significant challenges, including with the budget, and we have debated some of the most important issues facing the Commonwealth in many generations. Hundreds of bills have passed with a vast majority, most times, very bipartisan, and a lot of that is due to the steadfast leadership of Joe Scarnati.

A year ago I stood in this Chamber and I described Joe as a man of integrity, leadership, and principle. His tenure as a Member of the Senate and as President pro tempore has proven time and again to deserve the support of this body. Besides his intellect and decency, one of the traits I have come to appreciate most about Joe is that you never have to guess where he is on something. He will give it to you straight and is always looking for commonsense solutions; looking for ways for people to come together and not catering to extremes. We serve a Commonwealth that is as diverse as our nation. The President pro tempore insures equity for us all, Democrat and Republican alike, in our ability to serve, and, as I have said before, I can think of no other person more aptly suited for this role.

It is my privilege to second the nomination of my friend, Senator Joe Scarnati, as President pro tempore of the Pennsylvania Senate.

Thank you, Mr. President.

NOMINATIONS CLOSED

The PRESIDENT. Are there any other nominations or seconds? If not, the Chair will now declare the nominations for President pro tempore closed.

The candidate for the office of President pro tempore is the Honorable Joe Scarnati of Jefferson County. All those in favor of the Honorable Joe Scarnati for President pro tempore 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 declares Senator 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-elect to the rostrum for the administration of the oath of office: the gentleman from Indiana County, Senator White; the gentleman from Lancaster County, Senator Aument; and the gentlewoman from Montgomery County, Senator Collett. The committee will proceed to the performance of their duty.

(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 be administered to Senator Scarnati by Justice Saylor.

Please rise.

Justice SAYLOR. Would you please place your left hand on your 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.

The PRESIDENT pro tempore. Thank you, your Honor.

(Applause.)

The PRESIDENT. Please be seated. The Senate will now be at ease for 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 an honor and a privilege to present my friend, a friend of many, but over the years--Senator Scarnati, we both got elected at the same time to the State Senate. He truly has been a great Leader, a great friend, and it is my honor to present your President pro tempore, the Honorable Joe Scarnati from Jefferson County.

(Applause.)

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

The PRESIDENT pro tempore. Thank you, Justice Saylor and Justice Dougherty, for spending New Year's Day with us. We are certain that this was on your calendar many, many months ago and so we thank you for being here and for your distinguished service. I thank Senator Corman, Senator Costa, and Senator Martin for your kind words and friendship. I hope that you are around for my eulogy, because those are the kindest things anybody says. Thank you very much.

Today marks my 13th year serving as President pro tempore, and I am honored to be part of this Chamber and I thank the entire Senate for your trust in me and your support. I am grateful today to be joined by some of my family. I welcome my wife, Amy; her son, Coll; his girlfriend, Izzy; my daughter Kelly is here with me also. Normally, I waive on getting family here on this day because I know how busy it is, but it really is meaningful to have family, as you all know, on a day like this, so thank you. And I would certainly like to thank all of you for being here today, for all of you joining us in the gallery and all of you joining us on the floor, and let us not forget to thank all of the great coworkers--not staff, coworkers--who join us every day to make our jobs easy and make our jobs look like we always know what we are doing. So to the staff and our coworkers, I thank them.

Congratulations to our newly reelected colleagues. Welcome. And certainly congratulations to the new Members of the Senate.

Here we are at the beginning of a new year, and we are ready to continue on our work on the issues before us in this 2019-20 legislative Session. And trust me, this year will bring significant challenges. The budget will certainly be a tremendous focus this coming year, as it always is, and we must find a balance with the budget while insuring that we respect taxpayers. It is also crucial that we recognize that decisions and policies we put forth must

lead to more jobs and opportunities for all Pennsylvanians. The importance of business growth and development across our State cannot be overlooked in both urban and rural Pennsylvania. Providing a solid environment for family-sustaining jobs is a critical responsibility of all of ours in this Chamber.

It is clear we all come from different parts of the State and we have various, diverse backgrounds. But this diversity has the ability to help us advance legislation that strengthens each of our communities across rural, urban, and suburban regions of our State. To quote the late President George H.W. Bush, "We are a nation of communities. A brilliant diversity spread like stars, like a thousand points of light in a broad and peaceful sky." Just as our late President brought civility to a nation, we must bring civility here. While we are clearly a diverse group, it is crucial that we remember to also be a body that works together in a civil manner despite our differences. Justice Sandra Day O'Connor wisely stated that, "Unfortunately, civility is hard to codify or legislate, but you know it when you see it. It's possible to disagree without being disagreeable."

So, I challenge all of us this year to voice our differences of opinion on matters in a respectful manner and come together to find a compromise, to get results, because it is results that we are judged by at the end of the day. And in this new legislative Session, when we disagree, may we remember to do so without being disagreeable with one another. I encourage you to work with your colleagues to find the middle, to come to the middle of this aisle in this great Chamber and work together. However, it is worth noting that when we do pass unanimous or nearly unanimous bills without a fight, this is often received with little attention, and that is such a shame. Practical legislation that is agreed to by both parties and passed by this Chamber has a tremendous value to all of our constituents, but will not have value to most of the media.

I look forward to working together with each of you as we strive to make Pennsylvania a stronger State. Thank you for your trust in me. God bless and Happy New Year.

(Applause.)

The PRESIDENT (Lieutenant Governor Mike Stack) 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, first, I introduce to the guests here today the former Lieutenant Governor of the Commonwealth of Pennsylvania, Governor Jim Cawley.

(Applause.)

Senator CORMAN. See what happens when you become former Lieutenant Governor, you are in the back row.

The PRESIDENT. I was looking for him and I thought he would have a better seat. He is still great.

Senator CORMAN. Mr. President, he is close to the exit so he can get out.

I also introduce my predecessor in the Senate, who happens to double as my father, Senator J. Doyle Corman.

(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 have a number of guests I would like to introduce, so if folks could hold their applause. First and foremost, a good friend from Allegheny County, our County Executive Rich Fitzgerald is here with us today. Someone who is a friend to this Senate and has been for many, many years and serves in the tremendous capacity as our chairperson of the Public Utility Commission, Gladys Brown. Former State Senator John Wozniak, who currently serves on the Pennsylvania Turnpike Commission. We are honored today to have the former Philadelphia City Commissioner Mrs. Marge Tartaglione, the mother of Senator Tartaglione, thank her for joining us today. Also joining us is the State Democratic Party chair, Nancy Mills, as well as her executive director, Sincere Harris. Mr. President, last, but not least, a good friend to this Chamber has returned to us from nearly a year of serving this great country as an Army JAG officer in Jordan, and that is Charles Duncan with the Pennsylvania Turnpike Commission.

Mr. President, I ask that all of you give these ladies and men a great round of applause. Thank You.

The PRESIDENT. Please rise so that we can see you, folks.
(Applause.)

GUEST OF SENATOR MICHAEL J. FOLMER PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Folmer.

Senator FOLMER. Mr. President, Happy New Year.

The PRESIDENT. Same to you, Senator.

Senator FOLMER. Mr. President, I rise to introduce today the guest Chaplain of the Senate, Father Ted Keating from Seven Sorrows of the Blessed Virgin Mary in Middletown, Dauphin County. Father Keating has been a priest at Seven Sorrows for over 6 years. Prior to Seven Sorrows, he was the pastor of St. Pius in Selinsgrove, and prior to St. Pius he was parochial vicar at St. Patrick Catholic Church in Carlisle. Father Keating is a graduate of Lancaster Catholic High School and has been a priest in the Harrisburg Diocese for 25 years.

Thank you, Father Keating, for being here with us today on this special day. Senators, please join me in a warm Senate welcome for Father Ted Keating.

The PRESIDENT. Would the guest of Senator Folmer, Father Ted Keating, please rise so that we may welcome you. Thank you for your prayer.

(Applause.)

The PRESIDENT. Any other Senators wish to welcome guests? Your guests, there are so many here, can say you had a chance to recognize me and you did not do it, I will never forget that. So you can work the rest of the year making up that relationship.

ELECTION OF SECRETARY OF THE SENATE

The PRESIDENT. The next order of business before the Senate is the election of a Secretary of the Senate.

The Chair recognizes the gentlewoman from Washington, Senator Bartolotta.

Senator BARTOLOTTA. Mr. President, it is with great pleasure that I stand before you today and nominate Megan Martin to serve as Secretary and Parliamentarian of the Pennsylvania State Senate. Since the Senate's nomination and unanimous approval of Megan in 2012, she has garnished a well-earned reputation as the Secretary of the Senate and Parliamentarian, as well as the Right-to-Know Law appeals officer. Megan is responsible for insuring the successful and smooth operation of the legislative functions of the Senate both on and off the floor. To accomplish this charge, Megan oversees a staff of approximately 80 employees, including those within the Secretary's office, Official Reporter's office, library, Senate security, page service, document room, and print shop, and has many responsibilities, including assisting the presiding officer in conducting the business of Session; keeping a record of Senate action on bills; transmitting all bills, joint resolutions, current resolutions, and appropriate documents to the House of Representatives; and attesting all writs, warrants, and subpoenas issued by order of the Senate. Additionally, Megan serves as a parliamentarian. In that capacity, she provides advice and assistance on questions relating to the meaning and application of the Senate's legislative rules, precedents, and practices. Her in-depth knowledge and understanding of the Senate's legislative procedures have proven to be an instrumental asset.

Under her innovative leadership, she has streamlined and modernized many aspects of the Secretary's office. These changes have simplified the process for Members and staff making it easier to locate and obtain information, particularly for our constituency. For example, she recently announced the creation of an online app allowing visitors to explore the State Capitol building using a self-guided tour. This new app navigates individuals through this historic building highlighting both the history and the architecture that make our Capitol unique. The app also provides our constituency, as well as visitors, the ability to learn more about the legislative process while receiving an up-close look at each of the respective chambers and the Supreme Court. Another example of Megan's leadership is overseeing the launch of the virtual Session platform, which is being rolled out this year. This paperless system is designed for Members and staff to help further streamline the legislative process while reducing printing costs.

In her time as Secretary and Parliamentarian, Megan has set an excellent example of fiscal responsibility. Changes that have been instituted under her tenure are estimated to have saved taxpayers approximately \$900,000 since 2012. Aside from her fiscal stewardship, Megan has instilled a policy of openness and transparency to both Members and staff of the Senate. In addition to the open-door policy of her office, she has created the Secretary's office Web site which provides easy access to a wealth of information. Megan's background and credentials are just as impressive as her leadership and professionalism here in the Senate. Prior to serving as Secretary and Parliamentarian, she held a number of positions in both the judicial and executive branches. Some of these positions include deputy general counsel in the Pennsylvania Governor's Office, assistant counsel to the Department of the Navy, and special assistant to former Governor Tom Ridge. She has also taught at Widener University School of Law and Harrisburg Area Community College. It is no surprise that

she has and continues to serve this institution with integrity and distinction.

Once again, it is my great pleasure today to nominate Megan Martin to serve as Secretary and Parliamentarian of the Pennsylvania State Senate.

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

Senator COSTA. Mr. President, it is my honor today to rise to second the nomination of Megan Martin to serve as Secretary of the Senate for the 2019-20 Session. As we all know, the Senate Secretary has many duties and responsibilities and is accountable to each Member of this body and to the citizens of Pennsylvania. The person who serves in this capacity must seek fairness, balance, and equity in terms of how matters are handled both inside of this Chamber and outside. The Secretary is responsible for the effective operation of the Senate and how the Senate Chamber itself is managed. In addition, it was mentioned, under the rules, the Secretary also serves as Parliamentarian. In this capacity, key decisions are made about how we operate as a legislative body here in Pennsylvania. The Parliamentarian provides advice to the presiding officer as well as Members of both parties and is often-times consulted on how our rules are applied as a legislative institution.

Our current Secretary of the Senate, Megan Martin, has served the Senate well since being elected in 2012, and she has been elected each Session since then. She is dedicated and determined, and she understands the role of this Chamber and the Senate in terms of the role that it plays in government and how important it is and how proud we are of the work we do and how we function as a body. Beyond helping manage action on the Senate floor, which is critically important, she also handles additional responsibilities. In an era of split-second information dissemination, she has improved the process of making bills available to folks, as well as amendments and votes and how they are much more transparent, as was mentioned.

Therefore, Mr. President, I am honored to second the nomination of Megan Martin to serve as the Secretary of the Senate of Pennsylvania for the 2019-20 legislative Session.

Thank you, Mr. President.

NOMINATIONS CLOSED

The PRESIDENT. Are there any other nominations or seconds? If not, the Chair will now declare the nominations for Secretary of the Senate closed.

The great part of this is she is now the nominee and she is going over my script over here following along so I get it right. But so far, so good. The candidate for the office of Secretary of the Senate is Megan Martin of Cumberland County. All those in favor of Megan Martin for the office of Secretary please say "aye"; those opposed, "nay."

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

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

(Applause.)

The PRESIDENT. Megan's family is here today. Would you guys stand up, please. I know she appreciates all of your support. You are a great family. Great to have you guys as well.

(Applause.)

ELECTION OF CHIEF CLERK OF THE SENATE

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

The Chair recognizes the gentleman from York, Senator Regan.

Senator REGAN. Mr. President, it is my great honor to rise today to nominate Donetta D'Innocenzo for another term as Chief Clerk of the Senate of Pennsylvania. Donetta has served this Chamber for many years and brings with her an institutional knowledge, skill, and familiarity with all our traditions in this Chamber. Donetta has made advancements in the Chief Clerk's office to protect taxpayers through fiscal responsibility and has worked effectively in a bipartisan manner serving all Members of the Pennsylvania Senate. On a more personal note, I am proud to say that Donetta is my constituent. She resides in the 31st Senatorial District with her wonderful family.

I am honored to place into nomination the name of Donetta D'Innocenzo for a new term as Chief Clerk of the Senate of Pennsylvania, and I recommend her unanimous approval.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Kearney.

Senator KEARNEY. Mr. President, I rise today to second the nomination of Donetta D'Innocenzo as the Chief Clerk of the Senate of Pennsylvania. As we all know, the Chief Clerk has a myriad of duties and responsibilities. The Chief Clerk is accountable for how the business functions of the Senate are conducted. The Chief Clerk is also the open records officer of the Senate and consults with Leadership of both parties, Senators, and staff from each of the offices.

Keeping the Senate's business operation working properly is a tough job. Fortunately, the Senate has elected a person of great skill and ability to serve as Chief Clerk for these last 5 years. Donetta D'Innocenzo has been a valuable member of the central core staff of the Senate and has proven to be an effective leader as Chief Clerk. She is a consensus builder who has worked collaboratively with Members and with staff. As a life-long resident of Pennsylvania and a graduate of Shippensburg University, she is heavily invested in service not only to the Senate, but to her community as well. She loves the Senate as an institution and is keenly aware of our history and its place in making Pennsylvania a better place. Donetta knows well that the Senate Chief Clerk must be accessible and responsible to Members and staff. In this vein, Donetta and her staff have provided remarkable service over the years. They ably handle benefits administration, compliance with the Senate's financial operating rules, and all of the COMO policies. Plus they are involved in office location negotiations and the operations of the Senate offices in the Capitol. Donetta and her staff provide the key services that the Senate uses to operate. She is the trusted advisor for financial transactions and will seek answers to tough, intractable questions in an effort to help Senators and staff. She is dedicated and well-versed in Senate operations and is determined to make this Senate an even better place.

Mr. President, it is my pleasure to second the nomination of Donetta D'Innocenzo as Chief Clerk of the Pennsylvania Senate.

NOMINATIONS CLOSED

The PRESIDENT. Are there any other nominations or seconds? 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 say "aye"; those opposed, "nay."

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

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

(Applause.)

The PRESIDENT. Donetta's husband, Jim, is here, always supportive. Jim, stand up and say hello, too, and any other family members. Congratulations, Donetta.

(Applause.)

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

The PRESIDENT. The Secretary-elect and 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, he is working hard today, to administer the oath of office to our newly elected officers.

Please rise.

Justice SAYLOR. Would you please place your left hands on your Bibles, raise your right hands, and repeat after me:

I, (Megan Martin 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.)

SENATE RESOLUTION 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.

RESOLVED, That Ethical Conduct Rules of the Senate be adopted for the governing of the 203rd and 204th Regular Session.

2019-2020

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 fundraiser where campaign contributions are solicited or received.

(2) Preparing or completing responses to candidate questionnaires 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.

"Candidate." As defined in section 1621 of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code.

"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, step-child, 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.

"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 candidate'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 a campaign website for any candidate. 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 a social media website, which is not a campaign website for any candidate, 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 within no more than seven days and immediately notify the donor that campaign contributions should not be received at a Senate office.

(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 at which any Senate member is a candidate 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 money expended for print, distribution or postage incurred after the 60-day deadline.

(3) Senators who are candidates 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 the next occurring 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 time and resources 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 using Senate time and resources 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) Non-work-related tasks.--No Senate employee may be required to perform any non-work-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 viola-

tion 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

official 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 em-

ployee 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.

RESOLVED, That Financial Operating Rules of the Senate be adopted for the governing of the 203rd and 204th Regular Session.

2019-2020

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 bipartisan 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. The authorized 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 while away from their primary workplace 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 enter into a master lease agreement with the Department of General Services for the long-term lease of automobiles to be used by Senators and in the operation of the Senate. The actual expenses of the lease and operation shall be paid by the Senate's Incidental Expense Account. 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 and their employees 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 and their employees 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.

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

(f) 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.

(4) Chief Clerk Employees' Salary and Expense Account, as provided in the General Appropriations Act.

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 Senator'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 data 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.
 - (5) Caucus Operations 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 data services.
- (5) Postage and communication.
- (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) 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.

(c) 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.

- (d) Authorized accounts.--Accounts authorized include:
- (1) Legislative Printing and Expense Account.
 - (2) Postage and Communication Expense Account of Chief Clerk.
 - (3) Senators' Legislative Accountable Expense Accounts.
 - (4) Appropriations Committee Accounts.
 - (5) Caucus Operations Accounts.
 - (6) Committee and Contingent Expenses Accounts.
 - (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 expense amount attributable to the Senator or employee. 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. Operations Manual.

(a) Preparation and approval.--The Chief Clerk shall prepare an Operations Manual of all rules, regulations, policies and procedures which are promulgated by the Senate Committee on Management Operations.

(b) Distribution.--Upon approval, applicable sections of the Operations Manual shall be posted on the Chief Clerk's Intranet site for access by all Senators, Senate Officers and Senate employees.

(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 203rd and 204th Regular Session.

RESOLVED, That the following be adopted as the Rules of the Senate for the governing of the 203rd and 204th Regular Session.

2019-2020

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. II, 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. IV, 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, including ensuring all members and staff with privilege of the floor are

properly attired pursuant to Senate Rule 10, 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 Leader and the Minority Leader, recess the Senate. Such recess shall not extend beyond the limitation imposed by Article II, 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 of the Senate; and the fact of signing shall be entered in the Journal on the next available session day.

(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. II, 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. Upon the resignation of the Chair of a standing committee, the President Pro Tempore may designate an acting Chair.

(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 the same.

(v) Printing of bills.

(vi) Maintain and update, as needed, the Legislative Data Processing Senate Virtual Session Desk application for use by members and staff.

(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) 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) 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 of the Senate.

(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 Chief 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 10 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. |
| 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, a question of order 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.

(k) Proper attire.--Members and staff with privilege of the floor during Senate sessions shall not dress in a manner offensive to the decorum of the Senate but shall be dressed in professional attire, including a coat, tie and trousers or slacks for men, and appropriate dignified dress for women.

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 the 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) On 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. III, 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. III, 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. III, 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 pursuant to 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 25% 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. III, 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 30 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. III, 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. III, 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. III, 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 21 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. III, 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. III, 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. The sponsor of the bill or the Chair of the Reporting Committee may request the memorandum from the Department of General Services.

(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 memorandum shall be filed within 60 days after a request is made. The sponsor of the amendment or the Chair of the Reporting Committee may request the memorandum from the Department of General Services.

(3) If a memorandum is not filed within 60 days after a request is made to the Department of General Services, the Senate or any committees of the Senate may consider bills or amendments granting or conveying Commonwealth land or taking title thereto, notwithstanding paragraphs (1) and (2).

(j) Consideration during 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 upon 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) Prefiling 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, this includes being available on the Senate Vir-

tual Session Desk application, 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 Reading 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 the 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 the bill until a copy of the reverted printer's number is made available to the Senators, this includes being available on the Senate Virtual Session Desk application.

(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. III, 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 Reading 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 the 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, this includes being available on the Senate Virtual Session Desk application, 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 - 21 members
- Banking and Insurance - 13 members
- Communications and Technology - 10 members
- Community, Economic and Recreational Development - 13 members
- Consumer Protection and Professional Licensure - 13 members
- Education - 10 members
- Environmental Resources and Energy -- 10 members
- Finance -- 10 members
- Game and Fisheries -- 10 members
- Health and Human Services -- 10 members
- Intergovernmental Operations -- 10 members
- Judiciary - 13 members
- Labor and Industry -- 10 members
- Law and Justice -- 10 members
- Local Government -- 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

(2) Subcommittees. 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 on a form prescribed by the Secretary-Parliamentarian of the Senate 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 paragraph (1), may be held during a session only if approval is granted by the Majority Leader and the Minority Leader 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, time, location and 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 10 legislative days of its reference to committee without the unanimous consent of the Senate or after such 10-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 and Minority Chair of each standing committee shall be ex-officio members 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 or designate an acting Chair. 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 next occurring legislative day after the committee's vote to report it.

(h) Amendments.--Upon reporting the bill from committee, the Chair shall submit all amendments adopted in committee to the Secretary-Parliamentarian of the Senate for posting on the Internet website maintained by the Senate.

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 a member desiring to be excused from voting in committee due to a direct, personal, private or pecuniary interest shall seek a ruling from the Chair pursuant to Rule 20(c).

(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 compris-

ing the Committee of Conference. Every report of a Committee of Conference shall be printed together with the bill as amended by the committee, shall be 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. III, 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 Capitol Leave request shall be communicated to the Senator's respective 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 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 as long as, by doing so, it does not violate any provisions of the Constitution of Pennsylvania. In the event that 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, demanded or required, 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 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 Reading 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 of the Senate.--

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

(2) The Chief Clerk shall be responsible for the acquisition, installation and maintenance of equipment required to provide the video feed and 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 Internet 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.

(5) During guest introductions, video feed of guests seated in the Senate Gallery or on the floor of the Senate is permissible.

(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 video clip or audio clip exclusively features the Senator who is posting or providing the video clip or audio 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 or television station or other licensed entity from broadcasting a session from the Senate or any part thereof; Provided, that the signal originates from the Senate-operated sound and video 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 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 Leader or Minority Leader. Prior to the start of each Senate session day, the Majority Leader and the Minority Leader shall provide notice to the President Pro Tempore listing the guests they have invited to the Floor of the Senate. 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 Leader's and Minority Leader's desks. Advice to Senators during debate shall be allowed only when the Senator is using the microphones at the Majority Leader's and Minority Leader's desks.

(b) Rear entrance closed during session.--No person 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 other than Senators, Senate Officers 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 and Executive Nominations 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. II, 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 Reading 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 for whom an insufficient excuse is made, may by order of a majority of the Senators present be sent for and taken into custody by the Chief 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 are 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 urged, the presiding officer shall direct the Chief 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 Caucus Secretary and Minority Caucus Secretary 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 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 be considered.

(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 five 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 the resolutions may be called up under the appropriate order of business:

(1) All Senate concurrent resolutions and House concurrent resolutions, excepting resolutions in reference to adjournment sine die, recesses and resolutions 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) (Reserved).

(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 29.1. Citations.

(a) Preparation.--A member making a request that a Senate Citation be issued to a particular person or on a specified occasion shall provide the Legislative Reference Bureau with the facts necessary for the preparation of the citation on a suitable form.

(b) Filing.--The citation request shall be filed with the Secretary-Parliamentarian of the Senate and automatically referred to the President Pro Tempore, who may approve and sign the citation on behalf of the Senate.

(c) Issuance.--One original citation shall be issued by the Secretary-Parliamentarian of the Senate.

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 pursuant to the Rules of the Senate. On days when the Senate is not in session, access to the Senate Floor by any person not connected 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. IV, 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 Committee on Ethics 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 the Senator 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 continue 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 pursuant to 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 Committee on Ethics, 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 Committee on Ethics determines 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 Committee on Ethics 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 Committee on Ethics shall be placed on the Senate Calendar and shall be acted upon by the Senate within 10 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 pursuant to the Rules of the Senate 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 requirements 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 the advisory opinions, 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 Committee on Ethics shall be under investigation, that Senator shall be temporarily replaced on the committee in a like manner to 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 pursuant to 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 of the Senate 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 or admission 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, the officer or employee shall be suspended immediately without pay and benefits by the Chief Clerk of the Senate. After a finding or a verdict of guilt by a judge or 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 the 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 of the Senate 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 of the employee may appeal the suspension to the Senate 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 Senate employee, including a family member of the Senator or Senate employee, to be affiliated with a nonprofit entity, the nonprofit entity must meet all of the following:

(1) Be a legal entity formed under the laws of this Commonwealth or another state that is qualified for nonprofit status.

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

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

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

(5) 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 any 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 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 subsection 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 selected 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; and as Chairman of the Committee on Appropriations, Senator Browne of Lehigh County.

The Chair has also been informed by the Democratic Caucus that they have selected as Democratic 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 Philadelphia County; as Democratic Chairman of the Committee on Appropriations, Senator Hughes of Philadelphia County; as Caucus Administrator, Senator Blake of Lackawanna County; as Policy Committee Chair, Senator Boscola of Northampton County; and as Vice-Chair of the Committee on Appropriations, Senator Schwank of Berks County.

STATEMENT BY THE PRESIDENT

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

SENATE RESOLUTION

NOTIFICATION TO THE HOUSE

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

In the Senate, January 1, 2019

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 that the following committee to notify the House that the Senate is organized is as follows: the gentleman from Montgomery County, Senator Mensch, chair; the gentleman from Monroe County, Senator Scavello; and the gentleman from Bucks, Senator Santarsiero.

The committee will leave immediately to discharge its duties.

SENATE RESOLUTION

**NOTIFICATION TO HIS EXCELLENCY,
THE GOVERNOR**

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

In the Senate, January 1, 2019

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 communication 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 gentlewoman from Luzerne County, Senator Baker, chair; the gentleman from Lycoming County, Senator Yaw; and the gentlewoman from Montgomery County, Senator Muth.

The committee will leave immediately to discharge its duties.

SENATE RESOLUTIONS ADOPTED

**THANKS OF SENATE TENDERED TO
REVEREND EDWARD J. KEATING
FOR HIS PRAYER**

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

In the Senate, January 1, 2019

RESOLVED, That the thanks of the Senate is hereby tendered to the Reverend Edward J. Keating, Seven Sorrows of the Blessed Virgin Mary Church, Middletown, 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
REPUBLICAN SENATORS 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 1, 2019

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

**THANKS OF SENATE TENDERED TO THE
HONORABLE KEVIN M. DOUGHERTY FOR
ADMINISTERING THE OATH OF OFFICE TO
DEMOCRATIC SENATORS**

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

In the Senate, January 1, 2019

RESOLVED, That the thanks of the Senate is hereby tendered to The Honorable Kevin M. Dougherty, 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 1, 2019

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 15, 2019, 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 Tuesday, January 15, 2019, 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 BROOKS, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 1, 2019

RESOLVED, (the House of Representatives concurring), That the Senate and House of Representatives meet in Joint Session on Tuesday, January 1, 2019, 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 6, 2018, 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 BROWNE, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 1, 2019

RESOLVED, That the gentleman from Lebanon County, Senator Folmer, 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 TOMLINSON, by unanimous consent, offered the following resolution which was read, considered, and adopted by voice vote:

RESOLVED, (the House of Representatives concurring), That the President Pro Tempore of the Senate is hereby authorized to appoint a committee of sixteen Senators to act in conjunction with a committee of twenty-one Members of the House of Representatives, to be appointed by the Speaker, to make necessary arrangements for the inauguration of the Governor-elect to wait upon His Excellency; and be it further

RESOLVED, That the inaugural ceremonies take place at twelve o'clock noon on the third Tuesday of January, the fifteenth instant, 2019, on the Rear Plaza of the Main Capitol Building.

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

SENATE RESOLUTION ADOPTED

Senators STREET, J. WARD, DINNIMAN, FONTANA, PHILLIPS-HILL, SANTARSIERO, BREWSTER, BARTOLOTTA, FARNESE, SCAVELLO, KILLION, ARGALL, HUGHES, COSTA, VOGEL, AUMENT, BROWNE and BLAKE, by unanimous consent, offered **Senate Resolution No. 4**, entitled:

A Resolution designating the week of January 14 through 20, 2019, as "Dr. Martin Luther King, Jr., Holiday Week" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator STREET. Mr. President, I want to point out the importance of this resolution. Dr. Martin Luther King, Jr., as many of us know, graduated from my alma mater, Morehouse College, where Senator Haywood and I did our undergraduate work, and went on to attend the Crozer Theological Seminary not far from Philadelphia. Dr. King went on to be a figure that was transformative in nature. He transformed this country for people of color but also for all disenfranchised people. It is appropriate to point out that he did not die on a march merely for civil rights but for workers' rights, as he was advocating for the rights of people in the Poor People's Campaign in Montgomery, Alabama. He spoke for all people, whether they be men, women, black,

white, or workers who were being disenfranchised. It is fitting and appropriate that the Senate of Pennsylvania and all Pennsylvanians remember Dr. King's legacy, remember how he was a unifying figure, and remember how he made our country better.

I ask for support for this resolution and for all Pennsylvanians to remember the great work that Dr. King has done and did for our country, and let him be an inspiration to us all as we conduct our business in this Chamber and for people throughout the Commonwealth of Pennsylvania.

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

Senator A.H. WILLIAMS. Mr. President, the day has been long and extraordinarily celebratory, so I want to be respectful of that, but I also want to follow my colleague. I am a child of the 1960s, and it would not be right for me to part this Chamber and the month of Dr. King to be celebrated without recognizing his significance to all of America.

I will tell you that I was struck by the accord by both Democrats and Republicans as we talk about being bipartisan. The reality is that regardless of whether you are a child in Philadelphia or some urban community struck down by gun violence, or a suburban community struck down by an opioid epidemic, or in rural Pennsylvania, hunger, lack of education, or access to opportunities, or suicide or a variety of other occurrences, it does not matter what happened. What matters is that the resolution of humanity and the spirit of heart drives us, and there could be no greater example, no greater hero, than Dr. King. Understand, the differences that we have are simply political. The differences that he had to negotiate were those of human beings seeing each other differently, and, frankly, sometimes not seeing each other as human beings. If he can navigate that extraordinary space to bring us to a place of peace and compromise through simply words but not violence, then it is our charge and our duty to reflect that upon all of Pennsylvania. Dr. King, yes, was an African American, and I am proud to be a part of that community, but Dr. King's gifts were much more extraordinary than simply that of a black man. His were God's gifts of the human being, a person of purpose, but a person of purpose who understood that his responsibility was to all people, those who agreed and those who disagreed, those who understood and those who did not understand.

We sit in an extraordinary space in time in this country where your sexual orientation no longer defines who you are. Your condition as a gender no longer limits your abilities. The color of your skin is simply an illusion that no longer distracts us from the possibilities of opportunity. Those things were borne out of the fight that Dr. King led in the 1960s. So I would only amend the resolution, if we could, Mr. President, if we can give a moment of reflection and silence on behalf of this extraordinary American and this wonderful individual.

Thank you, Mr. President.

The PRESIDENT. We will have a quick moment of silence to remember Dr. Martin Luther King, Jr.

(Whereupon, the Senate en bloc stood in a moment of silence in solemn respect to the memory of Reverend DR. MARTIN LUTHER KING, JR.)

And the question recurring,
Will the Senate adopt the resolution?

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

ANNOUNCEMENT BY THE PRESIDENT

The PRESIDENT. Because the Senate is always ready for anything, and the House we just never know, the House is not ready for us to send our delegation. So, the Senate will be at ease. What I will suggest is, that does not mean mayhem, but you can speak quietly among yourselves, stretch your legs a little, but the Senate will be at ease for a few moments.

(The Senate was at ease.)

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 committee from the House of Representatives: Representative Staats, Representative Innamorato, and the chair, Representative Hahn.

The PRESIDENT. Representatives, it is great to have you here. We had a much bigger crowd before you got here, but Representative Hahn, please give us your remarks.

Representative HAHN. Mr. President, we were appointed as a committee by the House of Representatives to let the Senate know that the House is in order and ready to do business.

The PRESIDENT. That is an exciting development.

Representative HAHN. Very exciting.

The PRESIDENT. Thank you, Representative Hahn. Representatives, thank you for being here.

Representative HAHN. Thank you.

The PRESIDENT. So, as always, here is the way we do it in the Pennsylvania Legislature. Everybody is now excited, it sounds like we are going to do something, right? We are now going to be at ease again for about an hour and we will make an announcement when it is time to proceed to the House business. So no one will miss it, you will hear the announcement, but when I say an hour, I mean about 60 minutes. It is not going to be far outside that, so we are now at ease for about 1 hour.

(The Senate was at ease.)

RECESS

The PRESIDENT. The time has come in the 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. Plus, no one is here anymore anyway. The Chair thanks our guests for their cooperation.

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 a Joint Session.

The Chair now declares a recess of the Senate for purposes of a Joint Session with the House. We will return to the Senate at some point but now we are in recess.

AFTER RECESS

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

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 BOARD OF PHARMACY

December 4, 2018

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, Ashley Fehr, 115 Molleystown Road, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the State Board of Pharmacy, to serve for a term of six years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Mark Zilner, Indiana, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF NURSING

December 10, 2018

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, Ashley Fehr (Public Member), 115 Molleystown Road, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the State Board of Nursing, to serve until June 10, 2020, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Robert Ames, Coaldale, deceased.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF OSTEOPATHIC MEDICINE

December 10, 2018

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, Elise Claire Schell, 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Osteopathic Medicine, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice David Palmer, Pittsburgh, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE
TRANSPORTATION COMMISSION

December 10, 2018

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, Nathanael R. Brague, 1465 Hillcrest Court, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Transportation Commission, to serve for a term of six years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Ronald Drnevich, Harrisburg, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE
TRANSPORTATION COMMISSION

December 10, 2018

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, Anne Gingrich Cornick, Esquire, 2311 Briarcliff Road, Harrisburg 17104, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Transportation Commission, to serve for a term of six years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Cristina Cavaliere, Philadelphia, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE
TRANSPORTATION COMMISSION

December 10, 2018

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, Stephen A. Latanishen, 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Transportation Commission, to serve for a term of six years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Frank Paczewski, Dallas, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE
TRANSPORTATION COMMISSION

December 10, 2018

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, Marisa G.Z. Lehr, Esquire, 8 Nicholson Court, Mechanicsburg 17050, Cumberland County, Thirty-first

Senatorial District, for appointment as a member of the State Transportation Commission, to serve for a term of six years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice James Kingsborough, Carlisle, whose term expired.

TOM WOLF
Governor

BRIGADIER GENERAL,
PENNSYLVANIA ARMY NATIONAL GUARD

December 14, 2018

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, Colonel Jeffrey S. Heasley, 1400 Calder Street, Harrisburg 17103, Dauphin County, Fifteenth Senatorial District, for a Certificate of Eligibility to Brigadier General, General of the Line, with assignment as Land Component Commander, Army Staff Element Joint Force Headquarters, Pennsylvania Army National Guard, to serve until terminated, vice vacant position.

TOM WOLF
Governor

BRIGADIER GENERAL,
PENNSYLVANIA ARMY NATIONAL GUARD

December 14, 2018

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, Colonel Edwards S. Little, Jr., 20 Winding Hill Drive, Etters 17319, York County, Forty-eighth Senatorial District, for a Certificate of Eligibility to Brigadier General, General of the Line, with assignment as Assistant Division Commander, Headquarters Support Company, 28th Infantry Division, Pennsylvania Army National Guard, to serve until terminated, vice Brigadier General Mark D. McCormack, reassignment.

TOM WOLF
Governor

BRIGADIER GENERAL,
PENNSYLVANIA ARMY NATIONAL GUARD

December 14, 2018

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, Colonel Michael E. Wegscheider, 38 Mountain Mary Road, Boyertown 19512, Berks County, Twenty-fourth Senatorial District, for a Certificate of Eligibility to Brigadier General, General of the Line, with assignment as Assistant Division Commander, Headquarters Support Company, 28th Infantry Division, Pennsylvania Army National Guard, to serve until terminated, vice Brigadier General Stephen M. Radulski, reassignment.

TOM WOLF
Governor

MAJOR GENERAL,
PENNSYLVANIA ARMY NATIONAL GUARD

December 14, 2018

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, Brigadier General Mark D. McCormack, 120 Village Spring Lane, Reinholds 17569, Lancaster County, Thirty-sixth Senatorial District, for a Certificate of Eligibility to Major General, General of the Line, with assignment as Commander, Headquarters Support Company, 28th Infantry Division, Pennsylvania Army National Guard, to serve until terminated, vice Major General Andrew P. Schafer, retiring.

TOM WOLF
Governor

MAJOR GENERAL,
PENNSYLVANIA ARMY NATIONAL GUARD

December 14, 2018

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, Brigadier General Mark J. Schindler, 38 Tree Line Avenue, Fredericksburg 17026, Lebanon County, Forty-eighth Senatorial District, for a Certificate of Eligibility to Major General, AGC, with assignment as Assistant Adjutant General, Army Element Joint Force Headquarters, Pennsylvania Army National Guard, to serve until terminated, vice Major General Timothy J. Hilty, reassignment.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF ACCOUNTANCY

December 20, 2018

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, Elise Claire Schell (Public Member), 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Accountancy, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Lynell Scaff, Aliquippa, resigned.

TOM WOLF
Governor

MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING

December 20, 2018

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, Ashley Fehr, 115 Molleystown Road,

Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2020, and until her successor is appointed and qualified, vice Dene Liott, Pottstown, resigned.

TOM WOLF
Governor

JUDGE, COURT OF COMMON PLEAS,
ALLEGHENY COUNTY

December 20, 2018

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, Marisa G.Z. Lehr, Esquire, 8 Nicholson Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as Judge, Court of Common Pleas, Allegheny County, to serve until the first Monday of January 2020, vice the Honorable Ronald W. Folino, resigned.

TOM WOLF
Governor

JUDGE, COURT OF COMMON PLEAS,
BUTLER COUNTY

December 20, 2018

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, Anne Gingrich Cornick, Esquire, 2311 Briarcliff Road, Harrisburg 17104, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, Butler County, to serve until the first Monday of January 2020, vice the Honorable Marilyn J. Horan, resigned.

TOM WOLF
Governor

JUDGE, COURT OF COMMON PLEAS,
LANCASTER COUNTY

December 20, 2018

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, Anne Gingrich Cornick, Esquire, 2311 Briarcliff Road, Harrisburg 17104, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, Lancaster County, to serve until the first Monday of January 2020, vice the Honorable Jay J. Hoberg, resigned.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD
OF MASSAGE THERAPY

December 20, 2018

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, Elise Claire Schell, 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Massage Therapy, to serve until October 9, 2019, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Mary Meyers, Reading, resigned.

TOM WOLF
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF POLK CENTER

December 20, 2018

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, Nathanael R. Brague, 1465 Hillcrest Court, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Board of Trustees of Polk Center, to serve until January 19, 2021, and until his successor is appointed and qualified, vice James Culbertson, Franklin, deceased.

TOM WOLF
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF POLK CENTER

December 20, 2018

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, Ashley Fehr, 115 Molleystown Road, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Board of Trustees of Polk Center, to serve until January 15, 2019, and until her successor is appointed and qualified, vice Jack Kyle, Franklin, deceased.

TOM WOLF
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF POLK CENTER

December 20, 2018

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, Stephen A. Latanishen, 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Board of Trustees of Polk Center, to serve until January 15, 2019, and until his successor is appointed and qualified, vice Jayne Romero, Titusville, resigned.

TOM WOLF
Governor

MEMBER OF THE ADVISORY
COMMITTEE ON PROBATION

December 20, 2018

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, Marisa G.Z. Lehr, Esq., 8 Nicholson Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Advisory Committee on Probation, to serve *[data missing]* a term of four years and until her successor is appointed and qualified, but not longer than ninety days beyond that period, vice Mark Wilson, Lancaster, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE
TRANSPORTATION COMMISSION

December 20, 2018

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, Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-First Senatorial District, for appointment as a member of the State Transportation Commission, to serve *[data missing]* a term of six years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Edward Cernic, Sr., Johnstown, deceased.

TOM WOLF
Governor

GENERAL COMMUNICATIONS

RESIGNATION OF SENATOR
GUY RESCHENTHALER

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

SENATE OF PENNSYLVANIA

December 28, 2018

Honorable Joseph Scarnati
President Pro Tempore
292 Main Capitol Building
Harrisburg, PA 17120

Dear Senator Scarnati,

Please accept this letter as notice of my official resignation from the Senate of Pennsylvania. My last day in office will be December 31, 2018. It was a profound honor to serve with you and the rest of our distinguished colleagues.

I am grateful for the opportunity to represent the constituents of the 37th Senatorial District and I am proud of what we accomplished. I know the Senate of Pennsylvania will continue to lead the Commonwealth in a strong direction.

Very respectfully,

GUY RESCHENTHALER
State Senator
37th District

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
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17105

November 15, 2018

The Honorable Joseph B. Scarnati III
President Pro Tempore
Pennsylvania State Senate
292 Main Capitol Building
Harrisburg, PA 17120

The Honorable Mike Turzai
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 *Economic and Budget Outlook: Fiscal Years 2018-19 to 2023-24*, was produced in accordance with section 604-B(a)(2) of the Administrative Code of 1929.

Sincerely,

MATTHEW J. KNITTEL
Director, Independent Fiscal Office

The PRESIDENT. This report will be filed in the Library.

2018 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

November 27, 2018

Ms. Megan Martin
Secretary-Parliamentarian of the Senate
Senate Post Office Box 203053
Harrisburg, PA 17120-3053

Dear Ms. Martin:

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.

Due to the elimination of Pennsylvania's Capital Stock and Franchise Tax, which served as the primary funding source for this program, sufficient revenue will not be available to allow DEP to continue this important work in future years. I look forward to working with the General Assembly to address this need.

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.pa.gov. From that page, under "Businesses" choose the

"Land" tab, then click on "Site Remediation" to get to the Hazardous Sites Cleanup Program 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 communities for all Pennsylvanians.

Respectfully,

PATRICK McDONNELL
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:

THE SUPREME COURT OF PENNSYLVANIA
Pennsylvania Judicial Center
601 Commonwealth Avenue, 8th Floor
P.O. Box 60828
Harrisburg, PA 17106-0828

November 30, 2018

Ms. Megan Martin
Secretary - Parliamentarian of the Senate
Commonwealth of Pennsylvania
462 Main Capitol Building
Harrisburg, PA 17120

Dear Ms. Martin:

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.

Sincerely,

THOMAS G. SAYLOR

The PRESIDENT. This report will be filed in the Library.

PENNSYLVANIA EMERGENCY MANAGEMENT 2017 ANNUAL REPORT

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

December 3, 2018

Good afternoon,

In accordance with 35 Pa.C.S. § 5303 (Act 12 of 2015) the Pennsylvania Emergency Management Agency (PEMA) is required to report to the General Assembly annually on the revenue and distributions from the 9-1-1 Fund for the previous fiscal year and the compliance with the Commonwealth's 9-1-1 priorities.

PEMA is pleased to provide the attached Annual Report to the General Assembly detailing the revenue and distributions from the 9-1-1 Fund in 2017. The report also outlines the accomplishments of PEMA and the Pennsylvania 9-1-1 community in 2017 that set a solid foundation to implement next generation 9-1-1 and maintained Pennsylvania's position as a leader in 9-1-1 among states in our region.

If you should have any questions, please contact Mr. Wes Majors, PEMA's Legislative and Policy Director, via email at wemajors@pa.gov.

WESTBURN S.T. MAJORS

The PRESIDENT. This report will be filed in the Library.

**FEASIBILITY STUDY FOR
A NEW STATE PARK**

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA
Department of Conservation and Natural Resources
Rachel Carson State Office Building
P.O. Box 8767
Harrisburg, PA 17105

December 5, 2018

Megan Martin
Secretary Parliamentarian
Pennsylvania Senate
Room 462 Main Capitol
Harrisburg, PA 17120

Madam Secretary,

Pursuant to the requirement of Act 40 of 2017, please find attached a copy of our study on the feasibility of acquiring and developing a state park in Wyoming County, Pennsylvania. The Act mandated that we provide a copy of the study findings to the General Assembly.

If you have any questions regarding this study, please contact me.

Sincerely,

CINDY ADAMS DUNN
Secretary

**THE PHILADELPHIA PARKING AUTHORITY
FISCAL YEAR 2018 AUDIT REPORT**

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

THE PHILADELPHIA PARKING AUTHORITY
701 Market Street, Suite 5400
Philadelphia, PA 19106

December 13, 2018

Megan Martin
Secretary-Parliamentarian of the Senate
Senate Box 203053
Harrisburg, PA 17120-3053

Re: The Philadelphia Parking Authority
Fiscal Year 2018 Audit Report

Dear Secretary Martin:

As you are aware, the Parking Authority Law requires the Philadelphia Parking Authority ("Authority") to submit to an audit of its books, accounts, and records by a certified public accountant on an annual basis. 53 Pa. C.S. §5510.1(e). Enclosed please find the Authority's Fiscal Year 2018 Audit Report, which was approved by the Authority's Board at a public meeting on November 27, 2018.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely yours,
The Philadelphia Parking Authority

CHRISTOPHER NAWN
Chief Financial Officer

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:

Mrs. Michelle A. Brown as Staff Administrator for the Majority Caucus.

Mr. Patrick V. Larkin as a Commonwealth Trustee of Temple University.

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 for the Senate Democratic Caucus.

RECESS

The PRESIDENT. The Chair recognizes the gentleman from Lancaster, Senator Martin.

Senator MARTIN. Mr. President, I move that the Senate do now recess until Tuesday, January 15, 2019, 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 3:23 p.m., Eastern Standard Time.