

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE RESOLUTION

No. 102 Session of  
1997

INTRODUCED BY HANNA, YOUNGBLOOD, SHANER, LYNCH, KREBS, PLATTS,  
DALEY, LEH, STEELMAN, CARONE AND PESCI, APRIL 2, 1997

REFERRED TO COMMITTEE ON RULES, APRIL 2, 1997

## A RESOLUTION

1 Amending the Rules of the House of Representatives by adding  
2 rules relating to special elections to fill vacancies, for  
3 automatic calendars and floor votes and for guaranteed  
4 committee consideration of certain bills and amending rules  
5 relating to fiscal notes, automatic discharge from  
6 Appropriations Committee, for consideration of bills, for  
7 amendments on third consideration and for suspension and  
8 adoption of rules.

9 RESOLVED, That House Rules 19(a), 21, 23, 24, 43 and 77 be  
10 amended and that the Rules of the House of Representatives be  
11 amended by adding rules to read:

### RULE 6 (a)

#### Special Election to Fill Vacancy

14 Whenever a vacancy shall occur in the House, the Speaker  
15 shall within ten days after the happening of such vacancy, issue  
16 a writ of election to the proper county board or boards of  
17 election and to the Secretary of the Commonwealth for a special  
18 election to fill said vacancy, which writ shall fix the date of  
19 the next ensuing primary, municipal or general election,  
20 occurring at least 60 days after the issuance of said writ, as  
21 the date for holding said special election.

RULE 19 (a)

Fiscal Notes

(1) No bill, except a General Appropriation bill or any amendments thereto, which may require an expenditure of Commonwealth funds or funds of any political subdivision or which may entail a loss of revenues overall, or to any separately established fund shall be given second consideration reading on the calendar until it has first been referred to the Appropriations Committee for a fiscal note, provided however that the Rules Committee may by an affirmative vote of three-quarters of the entire membership to which such committee is entitled:

(a) Waive the recommittal to the Appropriations Committee and provide that the fiscal note be attached to the bill while on the active calendar. The providing of such note shall be a priority item for the Appropriations Committee; or

(b) Waive the necessity of a fiscal note on any bill which it deems to have a [deminimus] de minimis fiscal impact or which merely authorizes, rather than mandates, an increase in expenditures or an action that would result in a loss of revenue.

(2) Nothing herein shall preclude any member from moving, at the proper time, the recommittal of any bill to the Appropriations Committee for a fiscal note.

(3) The Appropriations Committee shall be limited in its consideration of any such bill to the fiscal aspects of the bill and shall not consider the substantive merits of the bill nor refuse to report any such bill from committee for reasons other than fiscal aspects. The fiscal note shall accompany the bill and provide the following information in connection with the

1 Commonwealth and its political subdivisions:

2 (a) The designation of the fund out of which the  
3 appropriation providing for expenditures under the bill shall  
4 be made;

5 (b) The probable cost of the bill for the fiscal year of  
6 its enactment;

7 (c) A projected cost estimate of the program for each of  
8 the five succeeding fiscal years;

9 (d) The fiscal history of the program for which  
10 expenditures are to be made;

11 (e) The probable loss of revenue from the bill for the  
12 fiscal year of its enactment;

13 (f) A projected loss of revenue estimate from the bill  
14 for each of the five succeeding fiscal years;

15 (g) The line item, if any, of the General Appropriation  
16 Bill out of which expenditures or losses of Commonwealth  
17 funds shall occur as a result of the bill;

18 (h) The recommendation, if any, of the Appropriations  
19 Committee and the reasons therefor relative to the passage or  
20 defeat of the bill; and

21 (i) A reference to the source of the data from which the  
22 foregoing fiscal information was obtained, and an explanation  
23 of the basis upon which it is computed.

24 (4) No bill which may result in an increase in the  
25 expenditure of Commonwealth funds shall be given second  
26 consideration reading on the calendar until the Appropriations  
27 Committee has certified that provision has been made to  
28 appropriate funds equal to such increased expenditure. Whenever  
29 the Appropriations Committee cannot so certify, the bill shall  
30 be returned to the committee from which it was last reported for

1 further consideration and/or amendment. For any bill reported  
2 out of the Appropriations Committee by a majority vote of the  
3 members, the Appropriations Committee shall certify that  
4 provision has been made to appropriate funds equal to any  
5 increase in the expenditure of Commonwealth funds which may  
6 result from said bill's passage.

7 (5) No amendment to a bill, concurrences in Senate  
8 amendments, or adoption of a conference report which may result  
9 in an increase in the expenditure of Commonwealth funds or those  
10 of a political subdivision or which may entail a loss of  
11 revenues in addition to that originally provided for in the bill  
12 prior to the proposed changes nor any bill requiring a fiscal  
13 note for which re-referral to the Appropriations Committee has  
14 been waived by the Rules Committee shall be voted upon until a  
15 fiscal note is available for distribution to the members with  
16 respect to such changes or to such bill showing the fiscal  
17 effect of the changes with respect to the bill, and containing  
18 the information set forth by subsection (3) of this rule.

19 (6) In obtaining the information required by these rules,  
20 the Appropriations Committee may utilize the services of the  
21 Budget Bureau and any other State agency as may be necessary.

22 (7) Any bill proposing any change relative to the retirement  
23 system of the Commonwealth or any political subdivision thereof,  
24 funded in whole or in part out of the public funds of the  
25 Commonwealth or any political subdivision, shall have attached  
26 to it an actuarial note. Except for the provisions pertaining to  
27 the content of fiscal notes as set forth in paragraphs (a)  
28 through (i) of subsection (3), all the provisions pertaining to  
29 and procedures required of bills containing fiscal notes, shall,  
30 where applicable, also be required for bills containing

1 actuarial note. The actuarial note shall contain a brief  
2 explanatory statement or note which shall include a reliable  
3 estimate of the financial and actuarial effect of the proposed  
4 change in any such retirement system.

5 (8) Any bill referred to the Appropriations Committee for a  
6 fiscal note pursuant to this rule shall be automatically  
7 discharged from said committee, with a fiscal note attached, and  
8 placed on the second consideration calendar if the  
9 Appropriations Committee fails to take a roll call vote in which  
10 the yeas and nays are taken to report or to not report said bill  
11 within 18 legislative days of when the bill was referred to the  
12 Appropriations Committee. If a bill is automatically discharged  
13 from the Appropriations Committee pursuant to this subsection,  
14 the requirements of subsection (4) shall be deemed waived.

#### 15 RULE 21

#### 16 Consideration of Bills

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

28 (Constitution, Article III, Section 4).

29 Members shall be notified of bills and resolutions scheduled  
30 to be voted no later than prior to [the close of business at

1 4:30] 12:00 P.M. of the second business day prior to legislation  
2 being considered on second consideration for amendment and prior  
3 to the scheduled vote on final passage for legislation that has  
4 no legal deadline. Notice shall be in writing and delivered to  
5 each member's House post office box and shall include reference  
6 to the bill number, printer's number and the short title. (The  
7 General Appropriations Act and non-preferred bills are included  
8 within the definition of legislation that has no legal  
9 deadline.) All amendments shall be submitted to the Office of  
10 the Chief Clerk by 2:00 P.M. of the last legislative day  
11 preceding the scheduled vote. No vote on final passage can occur  
12 before the date of the scheduled vote.

13 If the amendment cannot be submitted in accordance with the  
14 above paragraph because it is still being prepared by the  
15 Legislative Reference Bureau, the member must provide the Office  
16 of the Chief Clerk with a statement, by the above-noted 2:00  
17 P.M. deadline, prepared by the member containing the factual  
18 content of said amendment along with certification from the  
19 Legislative Reference Bureau that the amendment was submitted to  
20 the Legislative Reference Bureau for drafting prior to the  
21 above-noted 2:00 P.M. deadline.

22 Members shall be notified no later than one hour prior to the  
23 consideration of all bills on concurrence, unless the  
24 concurrence is the General Appropriations Bill, in which case at  
25 least 24 hours' notice shall be provided. Additionally, members  
26 shall be notified at least 24 hours prior to the adoption of all  
27 conference committee reports. When these reports are considered  
28 on the first legislative day of the week, said notice shall be  
29 provided no later than the close of business on the last  
30 business day preceding the vote.

1 RULE 21 (a)

2 Automatic Calendar, Floor Votes

3 Within 24 legislative days of when a bill is reported from a  
4 standing committee, a roll call vote in which the yeas and nays  
5 are taken concerning the disposition of said bill shall occur on  
6 either second consideration, third consideration or final  
7 passage. The 24-legislative-day period shall include any  
8 legislative days during which a bill was referred to the  
9 Appropriations Committee for a fiscal note pursuant to Rule 19  
10 (a). The prime sponsor of a bill may waive the requirements of  
11 this Rule 21 (a) by written notice to the Speaker and the  
12 Majority Leader and the Minority Leader.

13 The requirement of this Rule 21 (a) that a roll call vote  
14 shall occur on second consideration, third consideration or  
15 final passage within 24 legislative days of when a bill is  
16 reported from a standing committee shall be null and void if the  
17 Appropriations Committee, upon being referred a bill for a  
18 fiscal note pursuant to Rule 19 (a), takes a roll call vote in  
19 which a majority of the votes cast are in favor of not reporting  
20 the bill out of committee.

21 Once a bill has been reported from a standing committee, said  
22 bill shall not be recommitted to a standing committee unless a  
23 majority vote of a roll call vote in which the yeas and nays are  
24 taken directs such a recommittal; however, a roll call vote in  
25 which the yeas and nays are taken shall not be required for a  
26 bill to be committed to the Appropriations Committee, pursuant  
27 to Rule 19 (a), for a fiscal note nor for a bill to be  
28 automatically recommitted to the Committee on Rules pursuant to  
29 Rule 22.

30 RULE 23

1                               Second Consideration Bills

2       Bills on second consideration shall be considered in their  
3 calendar order and be subject to amendment.

4       [No House bill on second consideration shall be considered  
5 until called up by a member.]

6                               RULE 24

7                               Third Consideration and Final Passage Bills

8       Bills on third consideration and final passage shall be  
9 considered in their calendar order.

10      A bill on third consideration [may] shall not be amended[.],  
11 except for technical amendments (i.e. typographical errors) as  
12 allowed by the Speaker. A bill shall not be voted on final  
13 passage unless a copy of said bill was provided to each member a  
14 minimum of 24 hours prior to the vote.

15      After a bill is agreed to on third consideration, the Speaker  
16 shall state the question as follows:

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

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

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

22      When more than one bill shall be considered at the same time,  
23 the Speaker shall state the question as follows:

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

26               "The question is, shall the bills on the uncontested  
27 calendar pass finally?"

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

30                               RULE 43



1                   Standing Committees and Subcommittees

2           The Committee on Committees shall consist of the Speaker and  
3 15 members of the House, ten of whom shall be members of the  
4 majority party and five of whom shall be members of the minority  
5 party, whose duty shall be to recommend to the House the names  
6 of members who are to serve on the standing committees of the  
7 House. Except for the Speaker, the Majority and Minority  
8 Leaders, Whips, Caucus Chairmen, Caucus Secretaries, Caucus  
9 Administrators, Policy Chairmen and the chairmen and minority  
10 chairmen of standing committees, each member shall be entitled  
11 to serve on not less than two standing committees.

12          The Speaker shall appoint the chairman and vice-chairman of  
13 each standing committee when such standing committee has no  
14 standing subcommittees as prescribed herein, except the  
15 Committee on Appropriations which shall also have a vice-  
16 chairman appointed by the Speaker; when the standing committee  
17 has standing subcommittees, the Speaker shall appoint a  
18 subcommittee chairman for each standing subcommittee. The  
19 Speaker shall appoint a secretary for each standing committee.  
20 The Minority Leader shall appoint the minority chairman,  
21 minority vice-chairman and minority secretary of each standing  
22 committee and the minority subcommittee chairman for each  
23 standing subcommittee.

24          Except for members who decline a chairmanship or minority  
25 chairmanship in writing or who are barred from serving as a  
26 chairman or minority chairman under this rule, the chairmanship  
27 and minority chairmanship of each standing committee except the  
28 Appropriations Committee shall be limited only to the members of  
29 the applicable caucus with the most seniority as members of  
30 their respective caucus. Whenever there are more caucus members

1 with equal seniority than available chairmanships or minority  
2 chairmanships for that caucus, the selection of a chairman or  
3 minority chairman from among such caucus members shall be in the  
4 discretion of the appointing authority. The appointing authority  
5 may designate the standing committee to which he shall appoint a  
6 member as chairman or minority chairman without regard to  
7 seniority. The Speaker and the Floor Leader, Whip, Caucus  
8 Chairman, Caucus Secretary, Caucus Administrator and Policy  
9 Chairman of the majority party and minority party shall not be  
10 eligible to serve as chairman or minority chairman of any  
11 standing committee and no member may serve as chairman or  
12 minority chairman of more than one standing committee.

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

30 Nothing in this rule shall prohibit the appointing authority

1 from transferring a member from the chairmanship or minority  
2 chairmanship of a standing committee to the chairmanship or  
3 minority chairmanship of another standing committee.

4 Whenever the appointment of a chairman or minority chairman  
5 will cause the applicable caucus to exceed its permissible  
6 allocation of members on a standing committee, the appointing  
7 authority shall make a temporary transfer of an eligible  
8 committee member to the standing committee vacated by the member  
9 appointed as chairman or minority chairman until a regular  
10 committee appointment can be made in accordance with the rules  
11 of the House. If the Speaker or Minority Leader fails to make a  
12 temporary transfer within seven calendar days after such  
13 appointment, the committee member with the least seniority, who  
14 is eligible for transfer, shall be automatically transferred to  
15 the committee vacated by the newly appointed chairman or  
16 minority chairman and, if more than one committee member is  
17 eligible for such transfer, the transfer shall be implemented  
18 through a lottery conducted under the supervision of the Chief  
19 Clerk.

20 The Speaker of the House, Floor Leader of the majority party  
21 and the Floor Leader of the minority party shall be ex-officio  
22 members of all standing committees, without the right to vote  
23 and they shall be excluded from any limitation as to the number  
24 of members on the committees or in counting a quorum.

25 Twenty-two standing committees of the House, each to consist  
26 of [26] 27 members except the Committee on Appropriations, which  
27 shall consist of [32] 35 members, are hereby created. In  
28 addition, there is hereby created [34] 32 standing  
29 subcommittees.

30 [All standing committees shall consist of 15 members of the

1 majority party and 11 members of the minority party, except the  
2 Committee on Appropriations which shall consist of 20 members of  
3 the majority party and 12 members of the minority party.]

4 The number of majority members of each standing committee and  
5 subcommittee shall be in the same ratio as the majority members  
6 of the House are to the entire membership of the House, the  
7 number of minority members of each standing committee and  
8 subcommittee shall be in the same ratio as the minority members  
9 of the House are to the entire membership of the House with all  
10 fractional members being credited to the majority, except the  
11 Committee on Appropriations, which shall consist of 20 members  
12 of the majority party and 15 members of the minority party. The  
13 quorum for each of the standing committees and subcommittees  
14 shall be no less than the majority of said committees. The  
15 following are the standing committees and subcommittees thereof:

- 16 (1) Aging and Youth
  - 17 (a) Subcommittee on Aging
  - 18 (b) Subcommittee on Youth
- 19 (2) Agriculture and Rural Affairs
- 20 (3) Appropriations
  - 21 (a) Subcommittee on Health and Human Services
  - 22 (b) Subcommittee on Education
  - 23 (c) Subcommittee on Capital Budget
- 24 (4) Commerce and Economic Development
  - 25 (a) Subcommittee on Financial Services and Banking
  - 26 (b) Subcommittee on Housing
  - 27 (c) Subcommittee on Economic Development
- 28 (5) Consumer Affairs
  - 29 (a) Subcommittee on Public Utilities
  - 30 (b) Subcommittee on Telecommunications

1       (6)   Education  
2           (a)   Subcommittee on Basic Education  
3           (b)   Subcommittee on Higher Education  
4       (7)   Environmental Resources and Energy  
5           (a)   Subcommittee on Mining  
6       (8)   Finance  
7       (9)   Game and Fisheries  
8       (10)   Health and Human Services  
9           (a)   Subcommittee on Health  
10          (b)   Subcommittee on Human Services  
11          (c)   Subcommittee on Drugs and Alcohol  
12       (11)   Insurance  
13       (12)   Judiciary  
14           (a)   Subcommittee on Crime and Corrections  
15           (b)   Subcommittee on Courts  
16       (13)   Intergovernmental Affairs  
17       (14)   Labor Relations  
18       (15)   Liquor Control  
19           (a)   Subcommittee on Licensing  
20           (b)   Subcommittee on Marketing  
21       (16)   Local Government  
22           (a)   Subcommittee on Boroughs  
23           (b)   Subcommittee on Counties  
24           (c)   Subcommittee on Townships  
25       (17)   Professional Licensure  
26       (18)   State Government  
27       (19)   Tourism and Recreational Development  
28           (a)   Subcommittee on Arts and Entertainment  
29           (b)   Subcommittee on Recreation  
30           (c)   Subcommittee on Travel Promotion

1 (20) Transportation

2 (a) Subcommittee on Highways

3 (b) Subcommittee on Public Transportation

4 (c) Subcommittee on Transportation Safety

5 (d) Subcommittee on Aviation

6 (e) Subcommittee on Railroads

7 (21) Urban Affairs

8 (a) Subcommittee on Cities, Counties - First Class

9 (b) Subcommittee on Cities, Counties - Second Class

10 (c) Subcommittee on Cities, Third Class

11 (22) Veterans Affairs and Emergency Preparedness

12 RULE 45 (a)

13 Automatic Calendar, One Guaranteed Committee Vote

14 Each member of the House shall be permitted to designate one  
15 bill, for which he or she is the prime sponsor, that shall be  
16 acted upon by the standing committee to which said bill is  
17 referred within 120 days of when the bill was introduced. The  
18 minimum required action by a standing committee concerning a  
19 bill specially designated by a member pursuant to this Rule 45  
20 (a) shall consist of a roll call vote of the committee members  
21 in which the yeas and nays are taken regarding the disposition  
22 of the bill specially designated.

23 A member shall designate a bill for special consideration  
24 pursuant to this Rule 45 (a) by providing written notification  
25 to his or her Caucus Secretary. Upon receipt of such  
26 notification, a Caucus Secretary shall notify the Speaker and  
27 the chairman and minority chairman of the committee to which the  
28 specially designated bill has been referred for consideration.

29 At any time prior to a roll call vote being commenced on a  
30 bill specially designated pursuant to this Rule 45 (a) and prior

1 to the commencement of any committee hearings on such a bill, a  
2 member is permitted to reassign his or her designation made  
3 pursuant to this Rule 45 (a) to a different bill for which said  
4 member is the prime sponsor. Said reassignment must be done in  
5 writing to the member's Caucus Secretary, who shall notify the  
6 Speaker and the appropriate committee chairmen and minority  
7 chairmen. If a member reassigns his or her designation made  
8 pursuant to this Rule 45 (a) to a new bill, the 120-day period  
9 for consideration of the newly designated bill begins on the day  
10 of the redesignation.

11 The prime sponsor of a bill specially designated pursuant to  
12 this Rule 45 (a) may agree to extend the 120-day time period in  
13 which the standing committee to which his or her bill was  
14 referred is required to act by providing written notice to the  
15 Speaker and the chairman and minority chairman of the standing  
16 committee.

## 17 RULE 77

### 18 Suspending and Changing Rules

19 Any rule of the House, which is not required by the  
20 Constitution, may be temporarily suspended at any time for a  
21 specific purpose only by a vote of [55%] 60% of the members  
22 elected to the House by a roll call vote.

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

25 The existing rules of the House shall not be changed, added  
26 to, modified or deleted except by written resolution and the  
27 same approved by a [majority] 60% vote of the members elected to  
28 the House by a roll call vote.

29 Except where such resolution originates with the Committee on  
30 Rules, no resolution proposing any change, addition,

1 modification or deletion to existing House rules shall be  
2 considered until such resolution has been referred to the  
3 Committee on Rules, reported therefrom, printed, filed on the  
4 desk of each member and placed on the calendar.

5 Any proposed change, addition, modification or deletion  
6 offered by a member on the floor of the House to such resolution  
7 shall be considered, in effect, a change, addition, modification  
8 or deletion to existing House rules and shall require for  
9 approval a majority vote of the members by a roll call vote.