

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 42 Session of 2009

INTRODUCED BY EACHUS, FEBRUARY 2, 2009

REFERRED TO COMMITTEE ON RULES, FEBRUARY 2, 2009

A RESOLUTION

1 Adopting permanent rules for the House of Representatives,
 2 further providing for questions of order, for interruption of
 3 a member who has the floor, for members' and employees'
 4 expenses, for electronic availability of reports, for time of
 5 meeting, for general appropriation bill and nonpreferred
 6 bills, for consideration of bills, for first consideration
 7 bills, for third consideration and final passage bills, for
 8 reconsideration, for bills amended by Senate, for standing
 9 committees and subcommittees, for organization of standing
 10 committees and subcommittees, for powers and duties of
 11 standing committees and subcommittees, for ethics committee,
 12 for privileged motions, for lay on table, for motion to take
 13 from table and for division of a question.

14 RESOLVED, That the Temporary Rules of the House of
 15 Representatives (2009-2010) be adopted as the Permanent Rules of
 16 the House of Representatives for the 2009-2010 session of the
 17 House of Representatives with the following amendments:

18 (2009-2010)

19 RULES OF THE HOUSE OF REPRESENTATIVES

20 Definitions:

21 "Day" shall mean any calendar day.

22 "Floor of the House" shall be that area within the Hall of
 23 the House between the Speaker's rostrum and the brass rail
 24 behind the Members' seats.

1 "Formal Action" shall mean any vote or motion of a member of
2 a standing committee, standing subcommittee, select committee or
3 rules committee of the House of Representatives to report or not
4 report, amend, consider or table a bill or resolution and the
5 discussion and debate thereof.

6 "Hall of the House" shall be the floor space within its four
7 walls and does not include the adjoining conference rooms, the
8 lobbies or the upper gallery of the House.

9 "Legislative Day" shall mean any day that the House shall be
10 in session.

11 "Press Gallery" shall be within that area known as the Hall
12 of the House as designated by the Speaker.

13 "Roll Call Vote" shall be a vote taken and displayed by and
14 on the electric roll call board or in the event of a malfunction
15 of the electric roll call board, by such method as shall be
16 determined by the Speaker.

17 RULE 1

18 Speaker Presiding

19 The Speaker shall preside over the sessions of the House. The
20 Speaker may name a member to preside, but the substitution shall
21 not extend beyond an adjournment. The Speaker may appoint a
22 member as Speaker pro tempore to act in the Speaker's absence
23 for a period not exceeding ten consecutive legislative days.

24 As presiding officer and in accordance with Article II § 2 of
25 the Constitution of Pennsylvania and the act of June 3, 1937
26 (P.L.1333, No.320), known as the Pennsylvania Election Code,
27 within ten days after the occurrence of a vacancy the Speaker
28 shall issue a writ for a special election to be held on a date
29 which shall occur on or before the date of the first primary,
30 municipal or general election which occurs not less than 60 days

1 after the issuance of the writ. The Speaker shall not be
2 required to issue a writ of election if the election cannot be
3 scheduled until after the general election.

4 In case of failure to make an appointment, the House shall
5 elect a Speaker pro tempore to act during the absence of the
6 Speaker.

7 The Speaker pro tempore shall perform all the duties of the
8 Chair during the absence of the Speaker.

9 RULE 1 (a)

10 Equal Opportunity Officer and Advisory Committee

11 The Speaker shall designate an Equal Opportunity Officer who
12 shall report to the Speaker. There shall be an Equal Opportunity
13 Advisory Committee, appointed by the Speaker in consultation
14 with the Majority Leader and Minority Leader, to assist the
15 Equal Opportunity Officer in developing, recommending and
16 implementing equal opportunity employment and procurement
17 policies in the House of Representatives.

18 RULE 2

19 Taking the Chair

20 The Speaker shall take the Chair and call the members to
21 order on every legislative day at the hour to which the House
22 adjourned at the last sitting. On the appearance of a quorum,
23 the Speaker shall proceed to the regular order of business as
24 prescribed by the rules of the House.

25 RULE 3

26 Order and Decorum

27 The Speaker or Presiding Officer shall preserve order and
28 decorum. In case of any disturbance or disorderly conduct in the
29 galleries or lobbies, the Speaker shall have the power to order
30 the same to be cleared.

1 The Speaker or Presiding Officer shall have the right to
2 summon Legislative Security Officers to enforce in the
3 preservation of order and decorum, and if needed, to summon the
4 State Police to assist.

5 The Sergeant-at-Arms and Legislative Security Officers under
6 the direction of the Speaker or the Presiding Officer shall,
7 while the House is in session, maintain order on the floor and
8 its adjoining rooms and shall enforce the rule with respect to
9 the conduct of members, staff and visitors.

10 RULE 4

11 Questions of Order

12 The Speaker shall decide all questions of order subject to an
13 appeal by two members. The decision of the Speaker shall stand
14 as the decision of the House unless so appealed and overturned
15 by a majority of the members elected to the House. The Speaker
16 may, in the first instance, submit the question to the House.
17 Questions involving the constitutionality of any matters shall
18 be decided by the House. On questions of order there shall be no
19 debate except on an appeal from the decision of the Speaker or
20 on reference of a question to the House. In either case, no
21 member shall speak more than once except by leave of the House.

22 Unless germane to the appeal, a second point of order is not
23 in order while an appeal is pending; but, when the appeal is
24 disposed of, a second point of order is in order and is subject
25 to appeal.

26 RULE 5

27 Conference and Select Committee Appointments

28 All Committees of Conference shall be appointed by the
29 Speaker and shall be composed of three members, two of whom
30 shall be selected from the majority party and one from the

1 minority party.

2 The Speaker shall appoint the members of select committees,
3 unless otherwise ordered by the House.

4 RULE 6

5 Signature of the Speaker

6 The Speaker shall, in the presence of the House, sign all
7 bills and joint resolutions passed by the General Assembly after
8 their titles have been publicly read immediately before signing,
9 and the fact of signing shall be entered on the Journal.

10 Resolutions, addresses, orders, writs, warrants and subpoenas
11 issued by order of the House shall be signed by the Speaker and
12 attested by the Chief Clerk.

13 RULE 7

14 Oath to Employees

15 The Chief Clerk shall administer an oath or affirmation to
16 the employees of the House that they will severally support,
17 obey and defend the Constitution of the United States and the
18 Constitution of Pennsylvania, and that they will discharge the
19 duties of their offices with fidelity.

20 Each employee of the House, after taking the oath of office,
21 shall sign the Oath Book in the presence of the Chief Clerk.

22 RULE 8

23 Supervision of Hall of the House
24 and Committee Rooms

25 Subject to the direction of the Speaker, the Chief Clerk
26 shall have supervision and control over the Hall of the House,
27 the caucus and committee rooms and all other rooms assigned to
28 the House.

29 During the sessions of the Legislature the Hall of the House
30 shall not be used for public or private business other than

1 legislative matters except by consent of the House. During
2 periods of recess of the House such use may be authorized by the
3 Speaker without the consent of the House.

4 RULE 9

5 Decorum

6 While the Speaker is putting a question or addressing the
7 House and during debate or voting, no member shall disturb
8 another by talking or walking up and down or crossing the floor
9 of the House.

10 RULE 9 (a)

11 Smoking

12 No smoking of cigarettes, cigars, pipes and other tobacco
13 products shall be allowed in the Hall of the House nor in any
14 interior area of the Capitol Complex under the control of the
15 House of Representatives.

16 RULE 10

17 Debate

18 When a member desires to address the House, the member shall
19 rise and respectfully address the Speaker. Upon being
20 recognized, the member may speak, and shall be confined to the
21 question under consideration and avoiding personal reflections.

22 When two or more members rise at the same time and ask for
23 recognition, the Speaker shall designate the member who is
24 entitled to the floor.

25 No member, except the Majority and Minority Leaders, may
26 speak more than twice on any question, without the consent of
27 the House.

28 With the unanimous consent of the House a member may make a
29 statement not exceeding ten minutes in length concerning a
30 subject or matter not pending before the House for

1 consideration, providing the Majority and Minority Leaders have
2 agreed on a time the member is to ask for recognition.

3 RULE 11

4 Interruption of a Member who Has the Floor

5 A member who has the floor may not be interrupted, except for
6 questions of order, by a motion to extend session or by a motion
7 for the previous question.

8 A member may yield the floor for questions related to the
9 subject before the House.

10 RULE 12

11 Personal Privilege

12 Any member may by leave of the Speaker rise and explain a
13 matter personal to the member, but the member shall not discuss
14 a pending question in the explanation. Questions of personal
15 privilege shall be limited to questions affecting the rights,
16 reputation and conduct of members of the House in their
17 respective capacity.

18 RULE 13

19 Transgression of House Rules

20 If any member in speaking or otherwise transgresses the Rules
21 of the House, the Speaker or any member through the Speaker
22 shall call the member to order, in which case the member shall
23 immediately sit down unless permitted by the House to explain.

24 The House upon appeal shall decide the case without debate.
25 If the decision is in favor of the member, the member may
26 proceed. If the case requires it, the member shall be liable to
27 censure or other punishment as the House deems proper.

28 RULE 14

29 Members' and Employees' Expenses

30 A member who attends a duly called meeting of a standing or

1 special committee of which he or she is a member when the House
2 is not in session or who is summoned to the State Capitol or
3 elsewhere by the Speaker, or the Majority or Minority Leader of
4 the House, to perform legislative services when the House is not
5 in session shall be reimbursed per day for each day of service,
6 plus mileage to and from the member's residence, at such rates
7 as are established from time to time by the Committee on Rules
8 but not in excess of the applicable maximum mileage rate
9 authorized by the Federal Government. For travel to any location
10 for committee meetings or for travel to the State Capitol for
11 any reason, members cannot receive reimbursement in excess of
12 the applicable maximum per diem rate authorized by the Federal
13 Government. These expenses shall be paid by the Chief Clerk from
14 appropriation accounts under the Chief Clerk's exclusive control
15 and jurisdiction, upon a written request approved by the Speaker
16 of the House, or the Majority or the Minority Leader of the
17 House.

18 An employee of the House summoned by the Speaker or the
19 Majority or Minority Leader of the House to perform legislative
20 services outside of Harrisburg shall be reimbursed for actual
21 expenses and mileage to and from the employee's residence. Such
22 expenses may be paid by the Speaker, Majority or Minority
23 Leader, if they agree to do so, or shall be paid by the Chief
24 Clerk from appropriation accounts under the Chief Clerk's
25 exclusive control and jurisdiction, upon a written request
26 approved by the Speaker, or the Majority or the Minority Leader.
27 District office employees are only permitted to be reimbursed
28 from an account under the control of the Chief Clerk when
29 traveling to Harrisburg for a training program sponsored by
30 either caucus or for travel to a legislative conference approved

1 by the Speaker, the Majority Leader or the Minority Leader. All
2 other travel by district office employees may be reimbursed from
3 the member's accountable expenses or an account under the
4 control of the Speaker, the Majority Leader or the Minority
5 Leader.

6 Members and employees traveling outside the Commonwealth of
7 Pennsylvania who receive any reimbursement for expenses or
8 travel which reimbursement is from public funds shall file with
9 the Chief Clerk a statement containing his or her name and the
10 name, place, date and the purpose of the function.

11 Money appropriated specifically to and allocated under a
12 specific symbol number for allowable expenses of members of the
13 House of Representatives shall be reimbursed to each member upon
14 submission of vouchers and any required documentation by each
15 member on forms prepared by the Chief Clerk of the House. No
16 reimbursement shall be made from this account where a member is
17 directly reimbursed for the same purpose from any other
18 appropriation account.

19 Such allowable expenses of members may be used for any
20 legislative purpose or function, including but not limited to
21 the following:

22 (1) Travel expense on legislative business.

23 (a) Mileage on session or nonsession days at a rate as
24 may be approved from time to time by the Committee on Rules,
25 but not in excess of the maximum mileage rate authorized by
26 the Federal Government for travel; voucher only.

27 (b) Miscellaneous transportation on legislative business
28 (taxi, airport limousine parking, tolls), and expenses of a
29 similar nature; voucher only for any single expense not in
30 excess of \$10.

1 (c) Travel on legislative business by common carrier
2 other than taxi and airport limousine; voucher and receipt
3 from common carrier.

4 (d) Car rental; voucher and receipt from rental agency
5 but reimbursement not to exceed in any month an amount as may
6 be approved from time to time by the Committee on Rules. Any
7 amount in excess of the said amount shall be paid by the
8 person renting the car. In no event shall other than American
9 manufactured cars be rented.

10 (e) Lodging, restaurant charges and other miscellaneous
11 and incidental expenses while away from home. Vouchers only
12 for per diem allowance approved from time to time by the
13 Committee on Rules, but not in excess of the applicable
14 maximum per diem rate authorized by the Federal Government or
15 for actual expenses not in excess of such per diem rate.

16 (2) Administrative, clerical and professional services for
17 legislative business, except for employment of spouses or any
18 relatives, by blood or marriage.

19 (a) Administrative and clerical services; voucher and
20 receipt from person employed.

21 (b) Professional services; voucher and receipt and copy
22 of agreement or contract of employment.

23 (3) Rent for legislative office space; purchase of office
24 supplies; postage; telephone and answering services; printing
25 services and rental only of office equipment; voucher and
26 vendor's receipt, except for postage expense. No reimbursement
27 or expenditure shall be made out of any appropriation account
28 for any mass mailing including a bulk rate mailing made at the
29 direction or on behalf of any member which is mailed or
30 delivered to a postal facility within 60 days immediately

preceding any primary or election at which said member is a candidate for public office.

Mass mailing shall mean a newsletter or similar mailing of more than 50 pieces in which the content of the matter is substantially identical. Nothing in this rule shall apply to any mailing which is in direct response to inquiries or requests from persons to whom matter is mailed, which is addressed to colleagues in the General Assembly or other government officials or which consists entirely of news releases to the communications media.

(4) Official entertainment—restaurant and beverage charges; voucher only for expenses. Receipts for entertainment expenses, together with a statement of the reason for the expense, shall be submitted with the request for reimbursement.

(5) Purchase of flags, plaques, publications, photographic services, books, and other similar items in connection with legislative activities; voucher and vendor's receipt.

(6) Communications and donations in extending congratulations or sympathy of illness or death; voucher only on expenses not in excess of \$35.

No money appropriated for members' and employees' expenses shall be used for contributions to political parties or their affiliated organizations or to charitable organizations or for charitable advertisements.

[A member shall not create, maintain or cause to be created or maintained a legislative nonprofit organization. A "legislative nonprofit organization" means a nonprofit corporation or other entity whose primary purpose is to receive funds under the General Appropriation Act or another appropriations act at the discretion or by reason of the

1 influence of a member for the use at the direction or discretion
2 of the member. The Ethics Committee shall issue to any member
3 upon such member's request an opinion with respect to such
4 member's duties under this rule. The Ethics Committee shall,
5 within 14 days, issue the opinion. No member who acts in good
6 faith on an opinion issued to that member by the Ethics
7 Committee shall be subject to any sanctions for so acting,
8 provided that the material facts are as stated in the opinion
9 request. The Ethics Committee's opinions shall be public records
10 and may from time to time be published. The member requesting
11 the opinion may, however, require that the opinion shall contain
12 such deletions and changes as shall be necessary to protect the
13 identity of the persons involved.]

14 No money may be expended within 60 days before a primary
15 election or within 60 days before a general election in even-
16 numbered years for:

17 (i) purchase of or the reimbursement for the purchase of any
18 radio or television broadcast time for public service
19 announcements that depict the name, voice or image of a member;
20 or

21 (ii) payment for telemarketing activities on behalf of a
22 member. This prohibition shall not apply to limited surveys to
23 determine public opinion on various issues.

24 Members and employees shall not request reimbursement for the
25 private lease of vehicles leased on a long-term basis. No
26 payments will be made with respect to private, long-term lease
27 vehicle expenses incurred by members or employees except with
28 respect to private, long-term lease arrangements entered into by
29 a member prior to [the effective date of this rule] March 13,
30 2007, payments for which will be made in accord with the rules

1 in place on [the day before the effective date of this rule]
2 March 12, 2007. The Chief Clerk is authorized to enter into a
3 master lease agreement with the Department of General Services
4 for the long-term lease of automobiles.

5 All disbursements made, debts incurred or advancements paid
6 from any appropriation account made to the House or to a member
7 or nonmember officer under a General Appropriation Act or any
8 other appropriation act shall be recorded in a monthly report
9 and filed with the Chief Clerk by the person authorized to make
10 such disbursement, incur any debt or receive any advancement on
11 a form prescribed by the Chief Clerk.

12 The Chief Clerk shall prescribe the form of all such reports
13 and make such forms available to those persons required to file
14 such reports. Such report form shall include:

15 (1) As to personnel:

16 (a) The name, home address, job title, brief description
17 of duties and where they are performed, department or member
18 or members to whom assigned, the name of immediate supervisor
19 and minimum hours of employment per week of each employee.

20 (b) The appropriation account from which such employee
21 is compensated, the amount of compensation and whether such
22 person is on salary, per diem or contract.

23 (2) As to all other expenditures:

24 (a) To whom it was paid, the amount thereof, and the
25 nature of the goods, services or other purpose for which the
26 expenditure was made.

27 (b) The appropriation account from which the expenditure
28 was made and the name or names of the person or persons
29 requesting and/or authorizing the same.

30 [A copy of each such report shall also be filed with the

1 Special Committee on Internal Affairs and House Administration
2 for use in the performance of its duties under Rule 47(a).]

3 The reporting requirements as to personnel may be fulfilled
4 by the maintenance in the Office of the Chief Clerk of the House
5 of an alphabetized file containing the current information for
6 each employee as set forth above.

7 All monthly reports filed on disbursements made or debts
8 incurred by any officer or member or employee from
9 appropriations made to the House or to a member or nonmember
10 officer under any General Appropriation Act, and the
11 documentation for each disbursement, shall be public information
12 and shall be available [for public inspection during regular
13 business hours in the office of the Chief Clerk. The Chief Clerk
14 shall prescribe reasonable rules and regulations for inspection
15 of such reports but in no case shall inspection be denied to any
16 person for a period exceeding 48 hours (excluding Saturdays and
17 Sundays) from the time a written request has been submitted to
18 the Chief Clerk. Photocopies of such reports shall be made
19 available upon request to a member at no charge or to the public
20 for a duplication fee as may be fixed by the Chief Clerk. Such
21 reports shall be made available to a member or to the public on
22 or before the last day of the month next succeeding the month in
23 which the report was filed] in accordance with the act of
24 February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

25 All vouchers and requisitions relating to all expenditures,
26 expenses, disbursements and other obligations out of all
27 appropriated funds of the House, and the documentation
28 evidencing payment of the vouchers and requisitions, shall be
29 available [for public inspection during regular business hours
30 in the office of the Chief Clerk or at such other location

1 within the Capitol as the Chief Clerk shall prescribe. Nothing
2 in this rule shall permit release of any information deemed
3 confidential, including, but not limited to, a telephone number
4 or call history, a credit card number and a Social Security
5 number or a Federal or a State tax identification number] in
6 accordance with the Right-to-Know Law.

7 [All requests to review payroll and independent contractor
8 records of the House or any other vouchers or requisitions for
9 funds appropriated to the House shall be made to the Chief
10 Clerk, in writing, at least three working days prior to the date
11 on which the review is requested. The request shall be signed by
12 the party who will be making the review and it shall indicate
13 the name of the organization or entity employing such
14 individual. The Chief Clerk shall establish a time during normal
15 business hours for the review to occur and he shall provide that
16 the review shall not interfere with the necessary functioning of
17 the Chief Clerk's office.]

18 All requests for reimbursement out of any appropriation shall
19 be accompanied by a voucher, or other documents where required,
20 evidencing payment or approval. All requests for reimbursement
21 out of any appropriation payable to a member, nonmember officer
22 or employee shall be void if not submitted within 90 days of the
23 date that the otherwise allowable expense is incurred for any
24 and all otherwise allowable expenses, including without
25 limitation, per diem, mileage and actual expenses incurred. Any
26 such void request for reimbursement may not be paid except
27 pursuant to a motion to suspend this rule for good cause
28 specific to the voided request for reimbursement. The voucher
29 form shall be approved and supplied by the Chief Clerk. Receipts
30 or documentation of every expenditure or disbursement which is

1 in excess of the maximum amount as set forth herein shall be
2 attached to the voucher. Where a request for payment is made in
3 advance of an expense actually incurred, the Chief Clerk, before
4 making such advance payment shall require a description
5 satisfactory to the Chief Clerk of the item or service to be
6 purchased or the expense to be incurred, and a receipt or other
7 documentation shall be given to the Chief Clerk after the item
8 or service has been purchased or expense incurred as evidence
9 that such advancement was in fact expended for such purpose.

10 All reports, vouchers and receipts from which reports are
11 prepared and filed shall be retained by the Chief Clerk, officer
12 or member, as the case may be, for such period of time as may be
13 necessary to enable the Legislative Audit Advisory Commission
14 created pursuant to the act of June 30, 1970 (P.L.442, No.151),
15 entitled "An act implementing the provisions of Article VIII,
16 section 10 of the Constitution of Pennsylvania, by designating
17 the Commonwealth officers who shall be charged with the function
18 of auditing the financial transactions after the occurrence
19 thereof of the Legislative and Judicial branches of the
20 government of the Commonwealth, establishing a Legislative Audit
21 Advisory Commission, and imposing certain powers and duties on
22 such commission," to conduct, through certified public
23 accountants appointed by it, annual audits to assure that such
24 disbursements made or debts incurred were in accordance with
25 Legislative Audit Advisory Commission guidelines and standards
26 as approved by the Committee on Rules, or for a minimum of three
27 years, whichever is longer. All annual audit reports shall be
28 available for public inspection. Photocopies of such reports
29 shall be available for a fee established by the Chief Clerk not
30 to exceed the cost of duplication.

1 Except as specifically prohibited by law or limited by this
2 rule, all expenditures of funds appropriated to the House or to
3 a member or nonmember officer shall be subject to the
4 expenditure guidelines established by the Rules Committee. The
5 Rules Committee shall establish standards regarding
6 documentation evidencing payment out of any appropriations
7 account made to the House or to a member or nonmember officer.

8 The Bipartisan Management Committee shall receive and review
9 suggestions from the Comptroller on ways to reduce costs and
10 improve the fiscal operations of the House. The Comptroller,
11 following authorization by the Bipartisan Management Committee,
12 shall implement cost-reducing and other new measures to improve
13 the fiscal operations of the House.

14 RULE 14 (a)

15 Employee Payroll Information

16 In accordance with the act of January 10, 1968 (1967 P.L.925,
17 No.417), referred to as the Legislative Officers and Employees
18 Law, the Chief Clerk shall compile, annually, on or prior to the
19 first day of February of each year, a complete list of employees
20 of the House of Representatives. The list shall include the full
21 name, job title, work address and name of immediate supervisor
22 of every employee of the House of Representatives and shall
23 include such information for every person employed for any
24 period of time during the preceding 12 months. In addition to
25 the information required under the Legislative Officers and
26 Employees Law, the list shall include the payroll wage
27 information for those House employees paid during the preceding
28 calendar year. The list shall be available for public inspection
29 in the Office of the Chief Clerk during regular business hours.

30 RULE 14 (b)

1 Electronic Availability of Reports

2 In addition to the other methods of availability under Rule
3 14, all expense reports existing in electronic form shall be
4 provided electronically by the Chief Clerk upon request.

5 RULE 15

6 Time of Meeting

7 The House shall convene on the first legislative day of the
8 week at 1:00 P.M. prevailing time, unless otherwise ordered by a
9 roll call vote of the majority of those elected to the House.

10 On other days the House shall convene at the discretion of
11 the House. No session of the House may begin before 8:00 A.M.
12 nor [end] may any roll call votes be taken after 11:00 P.M.
13 unless exigent circumstances exist, as determined by an
14 affirmative vote of three-fourths of the members elected to the
15 House, by a roll call vote on a motion to extend session. A
16 motion to extend session may be made to extend session generally
17 or to conclude business on a specific question or questions. If
18 a motion to extend session is made prior to 10:15 P.M. and a
19 roll call vote has not been ordered, the arrival of 10:45 P.M.
20 shall put an end to all debate and shall bring the House to an
21 immediate roll call vote on the question to extend session.
22 Nothing in this rule shall prevent the House from conducting
23 administrative matters, including the making of announcements
24 regarding the House schedule for the benefit of members or in
25 order to comply with 65 Pa.C.S. § 709 (relating to public
26 notice) after 11:00 P.M. Upon the Speaker's determination that
27 all administrative matters are concluded, the Speaker shall
28 adjourn the House.

29 RULE 16

30 Quorum

1 A majority of the members shall constitute a quorum, but a
2 smaller number may adjourn from day to day and compel the
3 attendance of absent members. (Constitution, Article II, Section
4 10).

5 When less than a quorum vote on any question, the Speaker
6 shall forthwith order the doors of the House closed and the
7 names of the members present shall be recorded. If it is
8 ascertained a quorum is present, either by answering to their
9 names or by their presence in the House, the Speaker shall again
10 order the yeas and nays. If any member present refuses to vote,
11 refusal shall be deemed a contempt. Unless purged, the House may
12 order the Sergeant-at-Arms to remove the member or members
13 without the bar of the House. All privileges of membership shall
14 be refused the member or members so offending until the contempt
15 is purged.

16 RULE 17

17 Order of Business

18 The daily order of business shall be:

19 (1) Prayer by the Chaplain.

20 (2) Pledge of Allegiance.

21 (3) Correction and approval of the Journal.

22 (4) Leaves of absence.

23 (5) Master Roll Call.

24 (6) Reports of Committee.

25 (7) First consideration bills.

26 (8) Second consideration bills.

27 (9) Third consideration bills, final passage bills
28 (including both third consideration and final passage postponed
29 bills) and resolutions.

30 (10) Final passage bills recalled from the Governor.

1 (11) Messages from the Senate and communications from the
2 Governor.

3 (12) Reference to appropriate committees of bills,
4 resolutions, petitions, memorials, remonstrances and other
5 papers.

6 (13) Unfinished business on the Speaker's table.

7 (14) Announcements.

8 (15) Adjournment.

9 Any question may, by a majority vote of the members elected,
10 be made a special order of business. When the time arrives for
11 its consideration, the Speaker shall lay the special order of
12 business before the House.

13 In lieu of offering House Resolutions on topics of importance
14 to members, any member, without unanimous consent, may address
15 the House on such issue and have his or her remarks entered into
16 the record during a special period of time established each week
17 by the Speaker at the conclusion of House business on a specific
18 day.

19 RULE 18

20 Introduction and Printing of Bills

21 Bills shall be introduced in quadruplicate, signed and dated
22 by each member who is a sponsor of the bill, and filed with the
23 Chief Clerk on any day that the offices of the House of
24 Representatives are open for business. A sponsor may be added or
25 withdrawn upon written notice to the Speaker, Majority Leader,
26 Minority Leader and the prime sponsor. In the case of
27 withdrawals, the names shall be withdrawn if and when the bill
28 is reprinted. Additional sponsors may be added only by the prime
29 sponsor by providing written notice to the Speaker, Majority
30 Leader and Minority Leader.

1 Bills introduced when received at the Chief Clerk's desk
2 shall be numbered consecutively and delivered to the Speaker,
3 who shall refer each bill to an appropriate committee on any day
4 whether or not the House is in session. If the resolution
5 creating a select committee authorizes the referral of bills to
6 that committee, the Speaker may refer bills, within the scope of
7 the resolution, to such select committee. Insofar as applicable,
8 the select committee shall consider and report bills in
9 accordance with the rules governing the consideration and
10 reporting of bills by standing committees. The Speaker shall
11 report to the House the committees to which bills have been
12 referred, either on the day introduced or received or on the
13 next two legislative days the House is in session, unless the
14 House is in recess for more than four consecutive days in which
15 case the Speaker shall provide a list to the Majority Leader and
16 the Minority Leader, within two calendar days, of all bills
17 which were referred during such period when the House was not in
18 session.

19 If the Speaker neglects or refuses to refer to committee any
20 bill or bills (whether House or Senate) as above after
21 introduction or presentation by the Senate for concurrence, any
22 member may move for the reference of the bill to an appropriate
23 committee. If the motion is carried, said bill or bills shall be
24 immediately surrendered by the Speaker to the committee
25 designated in said motion.

26 The first copy of each bill introduced shall be for the
27 committee, the second copy shall be for the printer, the third
28 copy shall be for the news media and the fourth copy shall be
29 for the Legislative Reference Bureau.

30 Every bill, after introduction and reference to committee,

1 shall be printed and shall also be posted on the Internet with
2 the hyperlink to the web page for the members of the House of
3 Representatives.

4 Bills may not be withdrawn after reference to committee.

5 RULE 19

6 Bills Referred to Committees

7 No bill shall be considered unless referred to a committee,
8 printed for the use of the members and returned therefrom.

9 (Constitution, Article III, Section 2).

10 RULE 19 (a)

11 Fiscal Notes

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

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

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

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

4 (3) The Appropriations Committee shall be limited in its
5 consideration of any such bill to the fiscal aspects of the bill
6 and shall not consider the substantive merits of the bill nor
7 refuse to report any such bill from committee for reasons other
8 than fiscal aspects. The fiscal note shall accompany the bill
9 and provide the following information in connection with the
10 Commonwealth and its political subdivisions:

11 (a) The designation of the fund out of which the
12 appropriation providing for expenditures under the bill shall
13 be made;

14 (b) The probable cost of the bill for the fiscal year of
15 its enactment;

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

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

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

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

24 (g) The line item, if any, of the General Fund, special
25 fund or other account out of which expenditures or losses of
26 Commonwealth funds shall occur as a result of the bill;

27 (h) The recommendation, if any, of the Appropriations
28 Committee and the reasons therefor relative to the passage or
29 defeat of the bill; and

30 (i) A reference to the source of the data from which the

foregoing fiscal information was obtained, and an explanation of the basis upon which it is computed.

(4) No bill which may result in an increase in the expenditure of Commonwealth funds shall be given third consideration reading on the calendar until the Appropriations Committee has certified that provision has been made to appropriate funds equal to such increased expenditure. Whenever the Appropriations Committee cannot so certify, the bill shall be returned to the committee from which it was last reported for further consideration and/or amendment.

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

(6) When an amendment or certificate is timely filed with the amendment clerk under Rule 21, the amendment or certificate shall be forwarded to the Appropriations Committee. Upon receipt of an amendment, the Appropriations Committee shall automatically prepare a fiscal note.

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

1 necessary.

2 (8) Any bill proposing any change relative to the retirement
3 system of the Commonwealth or any political subdivision thereof,
4 funded in whole or in part out of the public funds of the
5 Commonwealth or any political subdivision, shall have attached
6 to it an actuarial note. Except for the provisions pertaining to
7 the content of fiscal notes as set forth in paragraphs (a)
8 through (i) of subsection (3), all the provisions pertaining to
9 and procedures required of bills containing fiscal notes, shall,
10 where applicable, also be required for bills containing
11 actuarial note. The actuarial note shall contain a brief
12 explanatory statement or note which shall include a reliable
13 estimate of the financial and actuarial effect of the proposed
14 change in any such retirement system.

15 RULE 19 (b)

16 General Appropriation Bill and Non-Preferred Bills

17 This rule shall apply to all amendments offered to the
18 General Appropriation Bill for each proposed fiscal year
19 including any amendments offered to or for supplemental
20 appropriations to prior fiscal years contained within the
21 General Appropriation Bill, and shall also apply to all
22 amendments offered to any non-preferred appropriation bill for
23 the same fiscal year.

24 Any amendment offered on the floor of the House to the
25 General Appropriation Bill that proposes to increase spending of
26 State dollars for the Commonwealth's proposed fiscal year or
27 prior fiscal years above the levels contained in the General
28 Appropriation Bill as reported from the Appropriations Committee
29 plus any aggregate if certified each year by the Appropriations
30 Committee shall not be in order and may not be considered unless

1 the same amendment contains sufficient reductions in line items
2 of that General Appropriation Bill so that the amendment offered
3 does not result in a net increase in the total proposed spending
4 contained within the General Appropriation Bill plus any
5 aggregate if certified by the Appropriations Committee.

6 Any amendment offered on the floor of the House to any non-
7 preferred appropriation bill that proposes to increase spending
8 of State dollars for the current fiscal year above the levels
9 contained in that non-preferred appropriation bill as reported
10 from the Appropriations Committee shall not be in order and may
11 not be considered unless the same amendment contains sufficient
12 reductions in that non-preferred appropriation bill so that the
13 amendment offered does not result in a net increase in the total
14 proposed spending contained within that non-preferred
15 appropriation bill.

16 In order to be considered, amendments to the General
17 Appropriation Bill must be submitted to the Office of the Chief
18 Clerk by 2:00 P.M. of the Monday of the week prior to the
19 scheduled vote of the General Appropriation Bill. The
20 Appropriations Committee for special and proper reason and by
21 majority vote, may waive this deadline. Members shall be
22 notified of the scheduled vote on the General Appropriation Bill
23 no later than 4:30 P.M. of the Wednesday preceding the above
24 noted Monday on which the amendments must be filed to the Bill.
25 Rule 21 of the Rules of the House, insofar as it applies to the
26 filing deadline for amendments and notice requirements for the
27 voting schedule for the General Appropriation Bill, shall not
28 apply to this rule. Rule 21 shall, however, apply to the non-
29 preferred appropriation bills.

30 If the amendment cannot be submitted in accordance with the

1 provision of the previous paragraph because it is still being
2 prepared by the Legislative Reference Bureau, the member must,
3 by 2:00 P.M. on the Monday of the week prior to the scheduled
4 vote, provide the Office of the Chief Clerk with a statement,
5 prepared by the member containing the factual content and exact
6 amounts of increases and decreases in line items which would be
7 proposed in the amendment, along with certification from the
8 Legislative Reference Bureau that the amendment was submitted to
9 the Legislative Reference Bureau prior to 2:00 P.M. on the
10 aforementioned Monday. This filing deadline does not apply to
11 amendments to any non-preferred appropriation bill.

12 Debate on any debatable question related to the General
13 Appropriation Bill or a nonpreferred appropriation bill shall be
14 limited to five minutes each time a member is recognized. On the
15 bill a sponsor of an amendment shall be entitled to be
16 recognized twice, a maker of a debatable motion shall be
17 entitled to be recognized twice, any other members shall be
18 entitled to be recognized once.

19 [This rule may be temporarily suspended only by two-thirds
20 vote of the members elected to the House by a roll call vote.]

21 RULE 20

22 Bills Confined to One Subject

23 No bill shall be passed containing more than one subject,
24 which shall be clearly expressed in its title, except a general
25 appropriation bill or a bill codifying or compiling the law or a
26 part thereof. (Constitution, Article III, Section 3).

27 RULE 21

28 Consideration of Bills

29 (a) Every bill and every joint resolution shall be
30 considered on three different days. All amendments made thereto

1 shall be printed for the use of the members before the final
2 vote is taken thereon, and before the final vote is taken, upon
3 written request addressed to the presiding officer by at least
4 25% of the members elected to the House, any bill shall be read
5 at length. No bill shall become law and no joint resolution
6 adopted unless, on its final passage, the vote is taken by yeas
7 and nays, the names of the persons voting for and against it are
8 entered on the Journal, and a majority of the members elected to
9 the House is recorded thereon as voting in its favor.

10 (Constitution, Article III, Section 4).

11 (b) Members shall be notified of bills and resolutions
12 scheduled to be voted no later than prior to the close of
13 business at 4:30 P.M. of the second legislative day prior to the
14 date of second consideration [and prior to the date of third
15 consideration] for legislation that has no legal deadline. (The
16 General Appropriation Act and non-preferred bills are included
17 within the definition of legislation that has no legal
18 deadline.) Except as provided in subsection (d), all amendments
19 shall be submitted to the Office of the Chief Clerk by 2:00 P.M.
20 of the last legislative day preceding the scheduled date of
21 second consideration. Members shall be notified of bills
22 scheduled to be voted on third consideration. A change in the
23 printer's number as a result of third consideration shall not
24 require an additional notice of final passage. No vote on final
25 passage can occur before the date of the scheduled vote.

26 (c) If the amendment cannot be submitted in accordance with
27 the above paragraph because it is still being prepared by the
28 Legislative Reference Bureau, the member must provide the Office
29 of the Chief Clerk with a statement, by the above-noted 2:00
30 P.M. deadline, prepared by the member containing the factual

1 content of said amendment along with certification from the
2 Legislative Reference Bureau that the amendment was submitted to
3 the Legislative Reference Bureau for drafting prior to the
4 above-noted 2:00 P.M. deadline.

5 (d) In cases where an amendment alters a bill so as to
6 effectively rule out of order an amendment which was timely
7 filed pursuant to the provisions of this rule, a replacement
8 amendment may be submitted to the Office of the Chief Clerk
9 provided that the subject matter of the replacement amendment is
10 not substantially different from the intent of the original
11 amendment. The replacement amendment shall be deemed to have met
12 the timely filed conditions provided for in this rule. The
13 member shall notify the Speaker of the member's intent to file a
14 replacement amendment and shall file a certificate with the
15 Office of the Chief Clerk. The bill in question may continue to
16 receive consideration but shall not be moved to third
17 consideration until the replacement amendment is available for a
18 vote. If consideration of the bill is delayed to a new
19 legislative day due solely to delay in receipt of replacement
20 amendments, then only amendments timely filed for the date of
21 the originally scheduled vote and replacement amendments shall
22 be considered. This limitation on amendments shall not apply to
23 the bill in question if consideration of the bill is rescheduled
24 beyond the new legislative day.

25 (e) [Members shall be notified no later than 24 hours prior
26 to the consideration of all bills on concurrence.] A bill may
27 not receive action on concurrence until at least 24 hours have
28 elapsed from the time the bill and its amendatory language was
29 available to the public, unless the amendment was a technical
30 amendment as described under the first paragraph of Rule 24 or

1 an affirmative vote of a majority of the members elected to the
2 House indicates they have had sufficient time to review the
3 language and thereby approve proceeding with the bill.

4 A brief description of every bill on concurrence shall be
5 given prior to a vote. Additionally, members shall be notified
6 and conference committee reports shall be available to members
7 at least 24 hours prior to the adoption of all conference
8 committee reports. When these reports are considered on the
9 first legislative day of the week, said notice shall be provided
10 no later than the close of business on the last business day
11 preceding the vote. Notwithstanding notice provided, members
12 may, by an affirmative vote of a majority of the members elected
13 to the House, indicate that they have had sufficient time to
14 review a conference committee report and that they approve
15 proceeding with a vote.

16 RULE 22

17 First Consideration Bills

18 Bills reported from committees shall be considered for the
19 first time when reported and shall then be automatically removed
20 from the calendar and laid on the table, except House bills
21 reported from committees after the first Monday in June until
22 the first Monday in September which shall then be automatically
23 recommitted to the Committee on Rules. [The] Except as otherwise
24 provided, the Rules Committee shall not in any instance have the
25 power to amend a bill which has been reported by another
26 committee.

27 After the first Monday in September, any bill which was
28 automatically recommitted to the Committee on Rules pursuant to
29 this rule shall automatically be re-reported to the floor of the
30 House and laid on the table.

1 Any bill which was automatically laid on the table pursuant
2 to this rule and has remained on the table for 15 legislative
3 days shall automatically be removed from the table and returned
4 to the calendar for second consideration the next legislative
5 day.

6 Any bill which was automatically laid on the table pursuant
7 to this rule may be removed from the table by motion of the
8 Majority Leader, or a designee, acting on a report of the
9 Committee on Rules. Such report shall be in writing and a copy
10 thereof distributed to each member. Any bill so removed from the
11 table shall be placed on the second consideration calendar on
12 the legislative day following such removal. Nothing herein shall
13 affect the right of any member to make a motion to remove a bill
14 from the table.

15 Amendments shall not be proposed, nor is any other motion in
16 order on first consideration.

17 Bills shall not be considered beyond first consideration
18 until the latest print thereof is on the desks of the members.

19 Any noncontroversial bill, which is defined as any bill,
20 other than an appropriations bill, approved by a committee with
21 no negative votes or abstentions, and with the approval of the
22 Majority Leader and the Minority Leader, shall be placed on an
23 uncontested calendar. Bills on the uncontested calendar shall be
24 voted upon by a single roll-call vote. Each bill listed on the
25 uncontested calendar will be printed separately in the journal
26 with the vote recorded on the approval of the uncontested
27 calendar as the vote on final passage of each bill contained
28 therein.

29 If any member should object to the placement of a bill on the
30 uncontested calendar, the bill shall be automatically removed

1 from the uncontested calendar and placed on the regular calendar
2 the next legislative day.

3 RULE 23

4 Second Consideration Bills

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

7 No House bill on second consideration shall be considered
8 until called up by a member.

9 RULE 24

10 Third Consideration and Final Passage Bills

11 Bills on third consideration shall be considered in their
12 calendar order and shall be subject to amendment only when an
13 amendment is necessary to make the document internally
14 consistent, to clear up an ambiguity, to correct grammar or to
15 correct a drafting error or is necessary for purposes of
16 statutory construction. An amendment under this paragraph shall
17 not be subject to the filing deadlines under Rule 21. A bill
18 having received consideration by the House on three different
19 days and having been agreed to may be called by the Speaker to
20 receive action on final passage; however, a bill may not receive
21 action on final passage until at least 24 hours have elapsed
22 from the time the bill [was amended] and its amendatory language
23 was available to the public, unless the amendment was a
24 technical amendment permitted under the first paragraph of this
25 rule or an affirmative vote of a majority of the members elected
26 to the House indicates that they have had sufficient time to
27 review the language of the bill and thereby approve proceeding
28 with the bill. Upon being called to receive action on final
29 passage, the title and a brief description of a bill shall be
30 read. A bill on final passage shall not be subject to amendment,

1 but shall be subject to debate. At the conclusion of debate, the
2 Speaker shall then state the question as follows:

3 "This bill has been considered on three different days and
4 agreed to and is now on final passage. The question is, shall
5 the bill pass finally? Agreeable to the provision of the
6 Constitution, the yeas and nays will now be taken." When more
7 than one bill shall be called for action on final passage at the
8 same time, prior to voting, the title or a brief analysis of
9 each bill shall be read.

10 The Speaker shall then state the question as follows:

11 "These bills have been considered on three different days and
12 agreed to and are now on final passage. The question is, shall
13 the bills on the uncontested calendar pass finally? Agreeable to
14 the provision of the Constitution, the yeas and nays will now be
15 taken."

16 RULE 25

17 Defeated Bills

18 When a bill or resolution has been defeated by the House, it
19 shall not be reintroduced, or, except as provided in Rule 26, be
20 reconsidered, nor shall it be in order to consider a similar
21 one, or to act on a Senate bill or resolution of like import,
22 during the same session.

23 RULE 26

24 Reconsideration

25 A motion to reconsider the vote by which a bill, resolution
26 or other matter was passed or defeated shall be made in writing
27 and filed by two members. The motion shall be in order only
28 under the order of business in which the vote proposed to be
29 reconsidered occurred and shall be decided on a roll-call vote
30 by a majority vote. No motion to reconsider shall be in order

1 when the bill, resolution or other matter is no longer in the
2 possession of or is not properly before the House.

3 A motion to reconsider any such vote must be [made] filed on
4 the same day on which the initial vote was taken or within the
5 succeeding five days in which the House is in session, provided
6 such bill, resolution or other matter is still in the possession
7 of or is properly before the House.

8 When a motion to reconsider any such vote is [made] filed
9 within the aforesaid time limits, put before the House by the
10 Speaker and [is] decided by the affirmative vote prescribed
11 herein, the question [immediately] recurs on the bill,
12 resolution or other matter reconsidered.

13 Where a bill, resolution or other matter has been initially
14 defeated and a motion to reconsider is not timely made, then
15 such bill, resolution or other matter shall carry the status of
16 "defeated finally" and not properly before the House. Therefore,
17 it shall not be in order to entertain a motion to reconsider any
18 such vote.

19 Where a timely made motion to reconsider is lost, it shall
20 not be in order to again entertain a motion to reconsider any
21 such vote, even though such second motion to reconsider is
22 timely made.

23 Where a bill, resolution, or other matter has been initially
24 defeated, and a timely made motion to reconsider the vote is
25 lost, or if no motion to reconsider the vote was timely made,
26 then it shall not be in order for the House thereafter to
27 receive or consider a new bill, resolution or other matter
28 embracing therein a subject or purpose basically identical to or
29 of similar import to the subject matter or purpose of the bill,
30 resolution or matter initially defeated.

1 The vote on a bill or resolution recalled from the Governor
2 may be reconsidered at any time after the bill or resolution has
3 been returned to the House.

4 No bill, resolution or other matter may be reconsidered more
5 than twice on the same legislative day.

6 RULE 27

7 Amendments

8 No bill shall be amended so as to change its original
9 purpose. (Constitution, Article III, Section 1).

10 No motion or proposition on a subject different from that
11 under consideration shall be admitted under color of amendment.

12 Any member may move to amend a bill or resolution, provided
13 the proposed amendment is germane to the subject. Questions
14 involving whether an amendment is germane to the subject shall
15 be decided by the House.

16 No amendment to an amendment shall be admitted nor
17 considered.

18 The sponsor of an amendment shall explain the amendment prior
19 to consideration by the House.

20 Before consideration, nine typewritten copies of a proposed
21 amendment signed by its sponsor shall be presented to the
22 Speaker, one copy of which shall be delivered to the news media
23 and a printed copy in typewritten form prepared by the
24 Legislative Reference Bureau shall be placed on the desk of each
25 member if the amendment is not available on the Legislative Data
26 Processing floor system.

27 Amendments adopted or defeated may not be considered again
28 without first reconsidering the vote.

29 RULE 28

30 Bills Amending Existing Law

1 Bills amending existing law shall indicate present language
2 to be omitted by placing it within brackets and new language to
3 be inserted by underscoring. (Constitution, Article III, Section
4 6).

5 RULE 29

6 Form for Printing Amendments

7 In printing amendments to bills and resolutions, all new
8 matter added shall be in CAPITAL LETTERS, and matter to be
9 eliminated shall be indicated by strike-out type.

10 In reprinting House bills previously amended by the House and
11 in reprinting Senate bills previously amended by the Senate, but
12 not in Senate bills previously amended by the House, all matters
13 appearing in strike-out type shall be dropped from the new print
14 and all matter appearing in CAPITAL LETTERS shall be reset in
15 lower case Roman type.

16 RULE 30

17 Bills Amended by the Senate

18 When a bill or joint resolution has been amended by the
19 Senate and returned to the House for concurrence, it shall be
20 referred automatically to the Committee on Rules immediately
21 upon the reading of the message from the Senate by the Clerk.

22 [The Committee on Rules shall not have the power to amend any
23 bill or joint resolution containing Senate amendments, except
24 that the Committee on Rules, by a majority vote of the members
25 appointed to the committee, may revert to the printer's number
26 of the bill or joint resolution which last passed the House.]

27 The consideration of any bill or joint resolution containing
28 Senate amendments may include the amendment of Senate amendments
29 by the Committee on Rules. The vote on concurring in amendments
30 by the House to bills or joint resolutions amended by the Senate

1 shall not be taken until said bills or joint resolutions have
2 been favorably reported, as committed or as amended, by the
3 Committee on Rules.

4 When said bill or joint resolution has been favorably
5 reported by the Committee on Rules, either as committed or as
6 [last passed the House] amended, said bill or joint resolution
7 shall be placed on the calendar. When acting on bills or joint
8 resolutions amended by the Senate, the bill and the amendments[,
9 if any] shall be read and the question put on the concurrence in
10 [the] all amendments to the bill since it was last considered by
11 the House.

12 Any two members may object to the report of any bill or joint
13 resolution [included in a report of] containing Senate
14 amendments amended by the Committee on Rules [on the basis that
15 the adoption of an amendment to the bill or joint resolution
16 exceeded the limitation upon the power of the Committee on Rules
17 to amend bills and joint resolutions amended by the Senate]. The
18 objection must be raised prior to the bill or joint resolution
19 being put to a roll call vote. The question shall be decided by
20 a majority vote of the members elected to the House. If the
21 House rejects the report of any such bill or joint resolution,
22 the bill or joint resolution shall be [deemed reported from the
23 Committee on Rules as committed and shall be placed on the
24 calendar.] automatically returned to the Committee on Rules as
25 last passed by the Senate.

26 The House shall not consider any proposed amendment to any
27 amendment made by the Senate to a bill or joint resolution, nor
28 consider any amendment to any amendment made by the Committee on
29 Rules.

30 A majority vote of the members elected to the House taken by

1 yeas and nays shall be required to concur in amendments made by
2 the Senate, except for appropriations to charitable and
3 educational institutions not under the absolute control of the
4 Commonwealth, where a vote of two-thirds of all the members
5 elected to the House shall be required to concur. (Constitution,
6 Article III, Sections 5 and 30).

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

18 RULE 31

19 Bills Vetoed by the Governor

20 When the Governor has returned a bill to the House with
21 objections, the veto message shall be read and the House shall
22 proceed to reconsider it. (Constitution, Article IV, Section
23 15).

24 RULE 32

25 Hospital and Home Appropriations or

26 Acquiring Lands of the Commonwealth

27 No bills appropriating moneys to State-aided hospitals or
28 State-aided homes shall be introduced in the House, except such
29 as appropriate in single bills the total sum to be appropriated
30 to all of the institutions within the same class or group.

1 Requests for appropriations for particular State-aided hospitals
2 or State-aided homes shall be filed with the Chair of the
3 Committee on Appropriations on forms to be furnished by the said
4 Committee on Appropriations, and shall be signed by the member
5 requesting the appropriation.

6 No bill granting or conveying Commonwealth lands or taking
7 title thereto shall be reported by any committee to the House
8 unless there has been filed with the Chief Clerk and the chair
9 of the reporting committee a memorandum from the Department of
10 General Services indicating the use to which the property is
11 presently employed, the full consideration for the transfer, if
12 any, a departmental appraisal of the property, including its
13 valuation and a list of recorded liens and encumbrances, if any,
14 the use to which the property will be employed upon its
15 transfer, the date by which the land is needed for its new use,
16 and the legislative district or districts in which the land is
17 located. The memorandum shall contain a statement by a
18 responsible person in the Department of General Services
19 indicating whether or not the administration favors the transfer
20 which is the subject of the bill under consideration.

21 RULE 33

22 Special Legislation

23 No local or special bill shall be passed by the House unless
24 notice of the intention to apply therefor has been published in
25 the locality where the matter or the thing to be affected may be
26 situated, which notice shall be at least 30 days prior to the
27 introduction into the General Assembly of such bill and in the
28 manner provided by law; the evidence of such notice having been
29 published shall be exhibited in the General Assembly before the
30 act shall be passed. (Constitution, Article III, Section 7).

1 No local or special bill shall be considered in violation of
2 Article III, Section 32, of the Constitution.

3 RULE 34

4 Nonpreferred Appropriations

5 No bill shall be passed appropriating money to any charitable
6 or educational institution not under absolute control of the
7 Commonwealth, except by a vote of two-thirds of all members
8 elected. (Constitution, Article III, Section 17).

9 RULE 35

10 House and Concurrent Resolutions

11 Members introducing resolutions other than concurrent
12 resolutions shall file five copies thereof; seven copies of
13 concurrent resolutions shall be filed. All resolutions shall be
14 signed by their sponsors, dated and filed with the Chief Clerk.
15 After being numbered, one copy of all resolutions shall be given
16 to the news media and all other copies delivered to the Speaker.
17 A sponsor may not be added or withdrawn after a resolution has
18 been printed. Resolutions may not be withdrawn after reference
19 to a committee.

20 Unless privileged under Rule 36 for immediate consideration
21 or deemed noncontroversial by the Speaker in consultation with
22 the Majority Leader and the Minority Leader, the Speaker shall
23 refer House resolutions (except discharge resolutions) and
24 Senate resolutions presented to the House for concurrence to
25 appropriate committees.

26 House resolutions deemed noncontroversial by the Speaker,
27 including, but not limited to, condolence and congratulatory
28 resolutions, shall be considered under the proper order of
29 business on the same day as introduced or within two legislative
30 days thereafter without being referred to committee.

1 The Speaker shall report to the House the committees to which
2 resolutions have been referred, either on the day introduced or
3 received or the next two legislative days the House is in
4 session.

5 A resolution introduced in the House and referred to
6 committee shall be printed and placed in the House files.

7 When a resolution (House or Senate) is reported from
8 committee, it shall be placed on the calendar and may be called
9 up by a member for consideration by the House under the order of
10 business of resolutions. A House resolution other than a
11 concurrent or joint resolution shall be adopted by a majority of
12 the members voting.

13 RULE 36

14 Privileged Resolutions

15 Resolutions privileged for the immediate consideration of the
16 House are those:

- 17 (1) Recalling from or returning bills to the Governor.
- 18 (2) Recalling from or returning bills to the Senate.
- 19 (3) Originated by the Committee on Rules.
- 20 (4) Providing for a Joint Session of the Senate and House
21 and its procedure.
- 22 (5) Placing bills negatived by committees on the calendar.
- 23 (6) Adjournment or recess.

24 RULE 37

25 Legislative Citation

26 A member making a request that a Legislative Citation be
27 issued to a particular person or on a specified occasion shall
28 provide the Legislative Reference Bureau with the facts
29 necessary for the preparation of the citation on a suitable
30 form.

1 The citation request shall be filed with the Chief Clerk and
2 automatically referred to the Speaker who may approve and sign
3 such citation on behalf of the House of Representatives.

4 One original citation shall be issued by the Chief Clerk.

5 RULE 38

6 Sine Die and Final Introduction of Bills

7 Resolutions fixing the time for adjournment of the General
8 Assembly sine die and the last day for introduction of bills in
9 the House shall be referred to the Committee on Rules before
10 consideration by the House.

11 During the period of time between a general election and the
12 adjournment of the House of Representatives sine die, Rule 77
13 may not be invoked to suspend Rule 21 or any part of this rule.

14 RULE 39

15 Petitions, Remonstrances and Memorials

16 Petitions, remonstrances, memorials and other papers
17 presented by a member shall be signed, dated and filed with the
18 Chief Clerk to be handed to the Speaker for reference to
19 appropriate committees.

20 The Speaker shall report to the House the committees to which
21 petitions, remonstrances, memorials and other papers have been
22 referred, not later than the next day the House is in session
23 following the day of filing.

24 RULE 40

25 Messages

26 Messages from the Senate and communications from the Governor
27 shall be received and read in the House within one legislative
28 day thereafter.

29 All House and Senate bills shall be delivered to the Senate
30 with appropriate messages no later than the close of the next

1 legislative day of the Senate which follows the fifth
2 legislative day after which the House acted on such bill.

3 All House bills returned by the Senate after final passage
4 therein without amendment, and all conference committee reports
5 on House bills received from the Senate and adopted by the
6 House, shall be signed by the Speaker within one legislative day
7 after receipt or adoption, respectively, and shall be delivered
8 to the Senate before the close of the next legislative day of
9 the Senate.

10 All House bills and all conference committee reports on House
11 bills signed by the Speaker shall be delivered to the Governor
12 within 24 hours after return from the Senate with the signature
13 of the appropriate Senate officer.

14 RULE 41

15 Kind and Rank of Committee

16 The Committees of the House shall be of four kinds and rank
17 in the order named:

- 18 (1) Committee of the Whole House.
- 19 (2) Standing Committees.
- 20 (3) Select Committees.
- 21 (4) Conference Committees.

22 RULE 42

23 Committee of the Whole

24 The House may resolve itself into a Committee of the Whole at
25 any time on the motion of a member adopted by a majority vote of
26 the House.

27 In forming the Committee of the Whole, the Speaker shall
28 leave the chair, after appointing a Chair to preside.

29 The rules of the House shall be observed in the Committee of
30 the Whole as far as applicable, except that a member may speak

1 more than once on the same question.

2 A motion to adjourn, to lay on the table, or for the previous
3 question cannot be put in the Committee of the Whole; but a
4 motion to limit or close debate is permissible.

5 A motion that the Committee of the Whole "do now rise and
6 report back to the House," shall always be in order, and shall
7 be decided without debate.

8 Amendments made in the Committee of the Whole shall not be
9 read when the Speaker resumes the Chair, unless so ordered by
10 the House.

11 RULE 43

12 Standing Committees and Subcommittees

13 The Committee on Committees shall consist of the Speaker and
14 15 members of the House, ten of whom shall be members of the
15 majority party and five of whom shall be members of the minority
16 party, whose duty shall be to recommend to the House the names
17 of members who are to serve on the standing committees of the
18 House. Except for the Speaker, the Majority and Minority
19 Leaders, Whips, Caucus Chairs, Caucus Secretaries, Caucus
20 Administrators, Policy Chairs and the chairs and minority chairs
21 of standing committees, each member shall be entitled to serve
22 on not less than two standing committees.

23 The Speaker shall appoint the chair and vice-chair of each
24 standing committee when such standing committee has no standing
25 subcommittees as prescribed herein, except the Committee on
26 Appropriations which shall also have a vice-chair appointed by
27 the Speaker; when the standing committee has standing
28 subcommittees, the Speaker shall appoint a subcommittee chair
29 for each standing subcommittee. The Speaker shall appoint a
30 secretary for each standing committee. The Minority Leader shall

1 appoint the minority chair, minority vice-chair and minority
2 secretary of each standing committee and the minority
3 subcommittee chair for each standing subcommittee.

4 Except for members who decline chair status or minority chair
5 status in writing or who are barred from serving as a chair or
6 minority chair under this rule, the chair and minority chair of
7 each standing committee except the Appropriations Committee
8 shall be limited only to the members of the applicable caucus
9 with the most seniority as members of their respective caucus.
10 Whenever there are more caucus members with equal seniority than
11 available chairs or minority chairs for that caucus, the
12 selection of a chair or minority chair from among such caucus
13 members shall be in the discretion of the appointing authority.
14 The appointing authority may designate the standing committee to
15 which the appointing authority shall appoint a member as chair
16 or minority chair without regard to seniority. The Speaker and
17 the Floor Leader, Whip, Caucus Chair, Caucus Secretary, Caucus
18 Administrator and Policy Chair of the majority party and
19 minority party shall not be eligible to serve as chair or
20 minority chair of any standing committee and no member may serve
21 as chair or minority chair of more than one standing committee.

22 Any chair or minority chair held by a member who fails to
23 meet the requirements of this rule shall become vacant by
24 automatic operation of this rule. If the appointing authority
25 fails to make an appointment of a chair or minority chair prior
26 to the organizational meeting of a standing committee or fails
27 to fill a vacancy within seven calendar days after it occurs,
28 such position shall be deemed to remain vacant in violation of
29 this rule. Whenever a chair or minority chair becomes vacant or
30 remains vacant in violation of this rule, the member of the

1 applicable caucus who meets the requirements of this rule shall
2 automatically fill the vacancy and, if there are two or more
3 such eligible caucus members for any such vacancy or vacancies,
4 they shall be filled from among such eligible members through a
5 lottery to be conducted under the supervision of the Chief Clerk
6 after giving notice of the time and place thereof to all
7 eligible members, to the Speaker, to the Majority Leader and to
8 the Minority Leader.

9 Nothing in this rule shall prohibit the appointing authority
10 from transferring a member from the chair or minority chair of a
11 standing committee to the chair or minority chair of another
12 standing committee.

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

28 The Speaker of the House, Floor Leader of the majority party
29 and the Floor Leader of the minority party shall be ex-officio
30 members of all standing committees, without the right to vote

1 and they shall be excluded from any limitation as to the number
2 of members on the committees or in counting a quorum.

3 Twenty-four standing committees of the House, each to consist
4 of 24 members except the Committee on Appropriations, which
5 shall consist of 35 members, are hereby created. In addition,
6 there are hereby created 43 standing subcommittees.

7 All standing committees shall consist of 14 members of the
8 majority party and ten members of the minority party, except the
9 Committee on Appropriations which shall consist of 21 members of
10 the majority party and 14 members of the minority party. The
11 quorum for each of the standing committees and subcommittees
12 shall be no less than the majority of said committees. The
13 following are the standing committees and subcommittees thereof:

- 14 (1) Aging and Older Adult Services
 - 15 (a) Subcommittee on Care and Services
 - 16 (b) Subcommittee on Programs and Benefits
- 17 (2) Agriculture and Rural Affairs
- 18 (3) Appropriations
 - 19 (a) Subcommittee on Health and Welfare
 - 20 (b) Subcommittee on Education
 - 21 (c) Subcommittee on Economic Impact and Infrastructure
 - 22 (d) Subcommittee on Fiscal Policy
- 23 (4) Children and Youth
- 24 (5) Commerce
 - 25 (a) Subcommittee on Financial Services and Banking
 - 26 (b) Subcommittee on Housing
 - 27 (c) Subcommittee on Economic Development
 - 28 (d) Subcommittee on Small Business
- 29 (6) Consumer Affairs
 - 30 (a) Subcommittee on Public Utilities

1 (b) Subcommittee on Telecommunications
2 (7) Education
3 (a) Subcommittee on Basic Education
4 (b) Subcommittee on Higher Education
5 (c) Subcommittee on Special Education
6 (8) Environmental Resources and Energy
7 (a) Subcommittee on Energy
8 (b) Subcommittee on Mining
9 (c) Subcommittee on Parks and Forests
10 (9) Finance
11 (10) Game and Fisheries
12 (11) Gaming Oversight
13 (12) Health and Human Services
14 (a) Subcommittee on Health
15 (b) Subcommittee on Human Services
16 (c) Subcommittee on Drugs and Alcohol
17 (d) Subcommittee on Mental Health
18 (13) Insurance
19 (14) Judiciary
20 (a) Subcommittee on Crime and Corrections
21 (b) Subcommittee on Courts
22 (c) Subcommittee on Family Law
23 (15) Intergovernmental Affairs
24 (a) Subcommittee on Information Technology
25 (b) Subcommittee on Federal-State Relations
26 (16) Labor Relations
27 (17) Liquor Control
28 (a) Subcommittee on Licensing
29 (b) Subcommittee on Marketing
30 (18) Local Government

1 business. Each standing committee shall have the power to
2 promulgate rules not inconsistent with these rules which may be
3 necessary for the orderly conduct of its business.

4 Where a standing committee has standing subcommittees as
5 prescribed by Rule 43, the membership on such standing
6 subcommittees shall be appointed by the Committee on Committees
7 after consultation with each chair of a standing committee of
8 which the standing subcommittee is a part. Each standing
9 subcommittee shall consist of the chair of its parent standing
10 committee, as an ex-officio member, the chair of the standing
11 subcommittee, and five other members from the parent standing
12 committee to be appointed by the Committee on Committees, three
13 from among the majority party after consultation with the
14 Majority Leader and two from among the minority party after
15 consultation with the Minority Leader. Where it is deemed
16 advisable that the membership of any standing subcommittee be of
17 greater number than that prescribed herein, the Committee on
18 Committees may appoint additional members of the standing
19 committee from the majority or minority party to serve on such
20 standing subcommittee. The number of additional members selected
21 should be such as to maintain, as far as is practicable, a ratio
22 in majority and minority party membership which affords a fair
23 and reasonable representation to the minority party on the
24 standing subcommittee.

25 The chair and the minority chair of each standing committee
26 shall be ex-officio members of each standing subcommittee which
27 is part of the parent standing committee, with the right to
28 attend standing subcommittee meetings and vote on any matter
29 before such standing subcommittee.

30 A majority of the members of each standing subcommittee shall

1 constitute a quorum for the proper conduct of its business. Each
2 standing subcommittee may promulgate such rules necessary for
3 the conduct of its business which are not inconsistent with the
4 rules of its parent standing committee or the Rules of the
5 House.

6 When the chair of a standing committee has referred a bill,
7 resolution or other matter to a standing subcommittee, the power
8 and control over such bill, resolution or other matter shall
9 then reside in such subcommittee for a reasonable period of time
10 thereafter in order that such subcommittee may consider the
11 bill, resolution or other matter and return the same to its
12 standing committee with its recommendations as to the action
13 which ought to be taken on such bill, resolution or other
14 matter.

15 Each standing subcommittee, within a reasonable time after it
16 has received a bill, resolution or other matter, shall meet as a
17 committee for the purpose of considering the same and returning
18 the bill, resolution or other matter back to its parent standing
19 committee with a subcommittee report as to what action it
20 recommends. The report of the subcommittee on a bill, resolution
21 or other matter being returned to the standing committee shall
22 contain one of the following recommendations:

23 (1) that the bill, resolution or other matter in its present
24 form be reported to the House,

25 (2) that the bill, resolution, or other matter not be
26 reported to the House,

27 (3) that the bill, resolution or other matter be reported to
28 the House, with recommendations for amendments,

29 (4) that the bill, resolution or other matter is returned
30 without recommendations.

1 When a standing committee receives reports from its
2 subcommittees, it shall consider the same and by majority vote
3 of the members of the standing committee either approve or
4 disapprove such report. If disapproved, the standing committee
5 may then determine by a majority vote of its members what
6 further action, if any, should be taken on such bill, resolution
7 or other matter.

8 Where no action has been taken by a standing subcommittee on
9 a bill, resolution or other matter referred to it, and the chair
10 of the standing committee considers that such subcommittee has
11 had reasonable time to consider the bill, resolution or other
12 matter and return the same to its parent standing committee, the
13 subcommittee chair shall then forthwith surrender and forward
14 the same, together with all documents or papers pertaining
15 thereto, to the standing committee.

16 In the event that a chair of a standing committee is absent,
17 the following rules shall apply:

18 (1) If such standing committee has no subcommittee
19 prescribed by this rule, the vice-chair of the standing
20 committee shall act as chair of the committee meetings.

21 (2) If such standing committee has only one subcommittee,
22 the subcommittee chair shall act as chair of the standing
23 committee.

24 (3) If the standing committee has more than one
25 subcommittee, the subcommittee chair with the longest
26 consecutive legislative service shall act as chair of the
27 standing committee, except where the subcommittee chairs have
28 equal legislative service, in which case the Speaker of the
29 House shall designate one of the subcommittee chairs to act as
30 chair of the standing committee.

1 In case of absence of a subcommittee chair, the chair of the
2 appropriate standing committee shall designate one member from
3 either the standing committee or subcommittee to act as chair of
4 the subcommittee.

5 RULE 45

6 Powers and Duties of Standing Committees
7 and Subcommittees

8 The chair of each standing committee and subcommittee shall
9 fix regular weekly, biweekly or monthly meeting days for the
10 transaction of business before the committee or subcommittee.
11 The chair of the committee or subcommittee shall notify all
12 members, at least 24 hours in advance of the date, time and
13 place of regular meetings, and, insofar as possible, the
14 subjects on the agenda. In addition to regular meetings, special
15 meetings may be called from time to time by the chair of the
16 committee or subcommittee as they deem necessary. No recess or
17 combination of recesses shall exceed 48 hours for any committee
18 meeting or subcommittee meeting. No committee shall meet during
19 any session of the House without first obtaining permission of
20 the Speaker. During any such meeting, no vote shall be taken on
21 the Floor of the House on any amendment, recommittal motion,
22 final passage of any bill, or any other matter requiring a roll
23 call vote. Any committee meeting called off the Floor of the
24 House shall meet in a committee room. In addition to the
25 specific provisions of this rule, all provisions of 65 Pa.C.S.
26 Ch. 7 (relating to open meetings) relative to notice of meetings
27 shall be complied with.

28 At regularly scheduled meetings, or upon the call of the
29 chair, or subcommittee chair, for special meetings, the
30 membership of such committees shall meet to consider any bill,

1 resolution, or other matter on the agenda. The secretary of each
2 standing committee, or in case of subcommittees a secretary
3 designated by the subcommittee chair, shall record:

4 (1) the minutes of the meeting,

5 (2) all votes taken,

6 (3) a roll or attendance of members at standing committee or
7 subcommittee meetings showing the names of those present, absent
8 or excused from attendance, and the majority and minority chairs
9 or their designees shall verify by their signatures all votes
10 taken and the roll or attendance of those members present,
11 absent or excused before said records are submitted to the Chief
12 Clerk, and

13 (4) dispatch of bills and resolutions before the committee.

14 Such records shall be open to public inspection. On the first
15 legislative day of each week the House is in session, the chair
16 of each standing committee shall submit to the Chief Clerk for
17 inclusion in the House Journal only, the roll or record of
18 attendance of members at standing committee or subcommittee
19 meetings held prior thereto and not yet reported, along with the
20 record of all votes taken at such meetings. All reports from
21 standing committees shall be prepared in writing by the
22 secretary of the committee. Members of a standing committee may
23 prepare in writing and file a minority report, setting forth the
24 reasons for their dissent. Such committee reports shall be filed
25 with the Chief Clerk within five days of the meeting. All
26 meetings at which formal action is taken by a standing committee
27 or subcommittee shall be open to the public, making such reports
28 as are required under Rule 44. When any member, except for an
29 excused absence, fails to attend five consecutive regular
30 meetings of his or her committee, the chair of that committee or

1 subcommittee shall notify the member of that fact and, if the
2 member in question fails to reasonably justify absences to the
3 satisfaction of a majority of the membership of the standing
4 committee of which he or she is a member, membership on the
5 committee or subcommittee shall be deemed vacant and the chair
6 of the standing committee shall notify the Speaker of the House
7 to that effect. Such vacancy shall then be filled in the manner
8 prescribed by these rules.

9 Whenever the chair of any standing committee shall refuse to
10 call a regular meeting, then a majority of the members of the
11 standing committee may vote to call a meeting by giving two days
12 written notice to the Speaker of the House, setting the time and
13 place for such meeting. Such notice shall be read in the House
14 and the same posted by the Chief Clerk in the House Chamber.
15 Thereafter, the meeting shall be held at the time and place
16 specified in the notice. In addition, all provisions of 65
17 Pa.C.S. Ch. 7 (relating to open meetings) relative to notice of
18 meetings shall be complied with.

19 Records, bills and other papers in the possession of
20 committees and subcommittees, upon final adjournment of the
21 House shall be filed with the Chief Clerk.

22 No committee report, except a report of the Appropriations
23 Committee, shall be recognized by the House, unless the same has
24 been acted upon by a majority vote of the members of a standing
25 committee present at a committee session actually assembled and
26 meeting as a committee, provided such majority vote numbers at
27 least 11 members, and provided further a quorum is present. No
28 committee report of the Appropriations Committee shall be
29 recognized by the House, unless the same has been acted upon by
30 a majority vote of the members of such committee present at a

1 committee session actually assembled and meeting as a committee,
2 provided such majority vote numbers at least 16 members, and
3 provided further a quorum is present.

4 No proxy voting shall be permitted in committee, except as
5 provided for herein. If a member reports to a scheduled
6 committee meeting and advises the chair and other members of a
7 conflicting committee meeting or other legislative meeting which
8 he or she must attend on the same day, the member is authorized
9 to give the chair or minority chair his or her proxy in writing
10 which shall be valid only for that day and which shall include
11 written instructions for the exercise of such proxy by the chair
12 or minority chair during the meeting. The member should also
13 advise the chair where he or she can be reached. In the event
14 the conflicting committee meeting or other legislative meeting
15 is scheduled to convene at the same time or prior to the meeting
16 at which a member desires to vote by proxy, such proxy shall be
17 delivered by the member in person to the offices of both the
18 chair and minority chair prior to, but on the same day as, the
19 conflicting meetings.

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

29 Whenever the phrase "majority of members of a standing
30 committee or subcommittee" is used in these rules, it shall mean

1 majority of the entire membership to which a standing committee
2 or subcommittee is entitled, unless the context thereof
3 indicates a different intent.

4 To assist the House in appraising the administration of the
5 laws and in developing such amendments or related legislation as
6 it may deem necessary, each standing committee or subcommittee
7 of the House shall exercise continuous watchfulness of the
8 execution by the administrative agencies concerned of any laws,
9 the subject matter of which is within the jurisdiction of such
10 committee or subcommittee; and, for that purpose, shall study
11 all pertinent reports and data submitted to the House by the
12 agencies in the executive branch of the Government.

13 The Committee on Appropriations shall have the power to issue
14 subpoenas under the hand and seal of its chair commanding any
15 person to appear before it and answer questions touching matters
16 properly being inquired into by the committee, which matters
17 shall include data from any fund administered by the
18 Commonwealth, and to produce such books, papers, records,
19 documents and data and information produced and stored by any
20 electronic data processing system as the committee deems
21 necessary. Such subpoenas may be served upon any person and
22 shall have the force and effect of subpoenas issued out of the
23 courts of this Commonwealth. Any person who willfully neglects
24 or refuses to testify before the committee or to produce any
25 books, papers, records, documents or data and information
26 produced and stored by any electronic data processing system
27 shall be subject to the penalties provided by the laws of the
28 Commonwealth in such case. Each member of the committee shall
29 have power to administer oaths and affirmations to witnesses
30 appearing before the committee. The committee may also cause the

1 deposition of witnesses either residing within or without the
2 State to be taken in the manner prescribed by law for taking
3 depositions in civil actions.

4 RULE 46

5 Committee on Rules

6 The Committee on Rules shall consist of the Speaker, the
7 Majority Leader, the Majority Whip, the Minority Leader, the
8 Minority Whip, the Majority Appropriations Chair, the Minority
9 Appropriations Chair, 12 members of the majority party appointed
10 by the Speaker, and ten members of the minority party appointed
11 by the Minority Leader. The Majority Leader shall be chair.

12 The committee shall make recommendations designed to improve
13 and expedite the business and procedure of the House and its
14 committees, and to propose to the House any amendments to the
15 Rules deemed necessary. The committee shall also do all things
16 necessary to fulfill any assignment or duty given to the
17 committee by any resolution, or other rule of the House of
18 Representatives.

19 The committee shall be privileged to report at any time.

20 The committee shall, until or unless superseded by law, adopt
21 guidelines for the expenditure of all funds appropriated to the
22 House or to any member or nonmember officer by any appropriation
23 act.

24 Such guidelines shall include a detailed statement of the
25 general and specific purposes for which the funds from that
26 appropriation account may be used, as well as uniform standards
27 of required documentation, accounting systems and record keeping
28 procedures.

29 Except as expressly provided in Rule 30 or this rule, the
30 committee shall not have the power to amend any bill or joint

1 resolution.

2 RULE 47

3 Ethics Committee

4 As used in the context of this rule, the word "committee"
5 shall mean the Committee on Ethics of the House of
6 Representatives, and the phrase "majority of the committee"
7 shall mean a majority of the members to which the committee is
8 entitled.

9 The committee shall consist of eight members: four of whom
10 shall be members of the majority party appointed by the Speaker,
11 and four of whom shall be members of the minority party
12 appointed by the Minority Leader. The Speaker shall appoint from
13 the members a chair, vice chair and secretary for the committee.
14 The chair shall be a member of the majority party and the vice
15 chair shall be a member of the minority party.

16 [The Speaker shall fix a voting session day for the Chief
17 Clerk to randomly select committee members from the lists
18 provided by each caucus. The Chief Clerk shall give at least
19 seven days' notice by mail of the date to all members. The Chief
20 Clerk shall conduct the random selection of committee members on
21 the floor of the House during session. Immediately following the
22 random selection, the Speaker shall read the names of the
23 committee members upon the record.]

24 The chair shall notify all members of the committee at least
25 24 hours in advance of the date, time and place of a regular
26 meeting. Whenever the chair shall refuse to call a regular
27 meeting, a majority of the committee may vote to call a meeting
28 by giving two days' written notice to the Speaker of the House
29 setting forth the time and place for such meeting. Such notice
30 shall be read in the House and posted in the House Chamber by

1 the Chief Clerk, or a designee. Thereafter, the meeting shall be
2 held at the time and place specified in such notice.

3 The committee shall compile and distribute a Members'
4 Handbook on Ethics to advise members, officers and employees of
5 the House on matters regarding conflicts of interest, and
6 nonfeasance, malfeasance and misfeasance in legislative duties.

7 Each member shall be required to complete two hours of ethics
8 education and training each legislative term. The committee
9 shall be responsible for planning and offering ethics education
10 programs.

11 The committee shall conduct its investigations, hearings and
12 meetings relating to a specific investigation or a specific
13 member, officer or employee of the House in closed session and
14 the fact that such investigation is being conducted or to be
15 conducted or that hearings or such meetings are being held or
16 are to be held shall be confidential information unless the
17 person subject to investigation advises the committee in writing
18 that he or she elects that such hearings shall be held publicly.
19 In the event of such an election, the committee shall furnish
20 such person a public hearing. All other meetings of the
21 committee shall be open to the public.

22 The committee shall receive complaints against members,
23 officers and employees of the House, and persons registered or
24 carrying on activities regulated by 65 Pa.C.S. Ch. 13A (relating
25 to lobbying disclosure), alleging illegal or unethical conduct.
26 Any such complaint must be in writing [verified] sworn or
27 affirmed to by the person filing the complaint under penalty of
28 law under 18 Pa.C.S. § 4904 (relating to unsworn falsification
29 to authorities) and must set forth in detail the conduct in
30 question and the section of the "Legislative Code of Ethics,"

1 the provision of 65 Pa.C.S. Ch. 13A or the House rule violated.
2 As a general rule, no person shall disclose or acknowledge to
3 any other person any information relating to the filing of a
4 complaint, except as otherwise authorized under this rule or to
5 carry out a function of the committee. The committee shall make
6 a preliminary investigation of the complaint, and if it is
7 determined by a majority of the committee that a violation of
8 the rule or law may have occurred, the person against whom the
9 complaint has been brought shall be notified in writing and
10 given a copy of the complaint. If at any time a majority of the
11 committee determines that the complaint was a "frivolous
12 complaint" as defined under 65 Pa.C.S. § 1102 (relating to
13 definitions), or made without probable cause and primarily for a
14 purpose other than that of reporting illegal or unethical
15 conduct, then the committee shall notify the complainant and the
16 person against whom the complaint has been brought of such
17 determination. Within 15 days after receipt of the complaint,
18 such person may file a written answer thereto with the
19 committee. Upon receipt of the answer, by vote of a majority of
20 the committee, the committee shall either dismiss the complaint
21 within ten days or proceed with a formal investigation, to
22 include hearings, not less than ten days nor more than 30 days
23 after notice in writing to the persons so charged. Failure of
24 the person charged to file an answer shall not be deemed to be
25 an admission or create an inference or presumption that the
26 complaint is true, and such failure to file an answer shall not
27 prohibit a majority of the committee from either proceeding with
28 a formal investigation or dismissing the complaint.

29 A majority of the committee may initiate a preliminary
30 investigation of the suspected violation of a Legislative Code

1 of Ethics or House rule by a member, officer or employee of the
2 House or lobbyist. If it is determined by a majority of the
3 committee that a violation of a rule or law may have occurred,
4 the person in question shall be notified in writing of the
5 conduct in question and the section of the "Legislative Code of
6 Ethics," the provision of 65 Pa.C.S. Ch. 13A or the House rule
7 violated. Within 15 days, such person may file a written answer
8 thereto. Upon receipt of the answer, by vote of a majority of
9 the committee, the committee shall either dismiss the charges
10 within ten days or proceed with a formal investigation, to
11 include hearings, not less than ten days nor more than 30 days
12 after notice in writing to the person so charged. Failure of the
13 person charged to file an answer shall not be deemed to be an
14 admission or create an inference or presumption that the charge
15 is true, and such failure to file an answer shall not prohibit a
16 majority of the committee from either proceeding with a formal
17 investigation or dismissing the charge.

18 In the event that the committee shall elect to proceed with a
19 formal investigation of the conduct of any member, officer or
20 employee of the House, the committee shall employ independent
21 counsel who shall not be employed by the House for any other
22 purpose or in any other capacity during such investigation.

23 All constitutional rights of any person under investigation
24 shall be preserved, and such person shall be entitled to present
25 evidence, cross-examine witnesses, face his or her accuser, and
26 be represented by counsel.

27 The chair may continue any hearing for reasonable cause, and
28 upon the vote of a majority of the committee or upon the request
29 of the person subject to investigation, the chair shall issue
30 subpoenas for the attendance and testimony of witnesses and the

1 production of documentary evidence relating to any matter under
2 formal investigation by the committee. The committee may
3 administer oaths or affirmations and examine and receive
4 evidence.

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

21 The committee may meet with a committee of the Senate to hold
22 investigations or hearings involving employees of the two houses
23 jointly or officers or employees of the Legislative Reference
24 Bureau, the Joint State Government Commission, the Local
25 Government Commission, the Legislative Budget and Finance
26 Committee and the Legislative Data Processing Committee;
27 provided, however, that no action may be taken at a joint
28 meeting unless it is approved by a majority of the committee.

29 In the event that a member of the committee shall be under
30 investigation, such member shall be temporarily replaced on the

1 committee in a like manner as said member's original
2 appointment.

3 The committee, at the request of a member, officer or
4 employee concerned about an ethical problem relating to the
5 member, officer or employee alone or in conjunction with others,
6 may render advisory opinions with regard to questions pertaining
7 to legislative ethics or decorum. Such advisory opinions shall
8 be confidential and shall apply exclusively to the requestor. No
9 requestor who acts in good faith on an advisory opinion issued
10 to that requestor by the Ethics Committee shall be subject to
11 any sanctions for so acting if the material facts are as stated
12 in the advisory opinion request.

13 A member shall not create, maintain or cause to be created or
14 maintained a legislative nonprofit organization. A "legislative
15 nonprofit organization" means a nonprofit corporation or other
16 entity whose primary purpose is to receive funds under the
17 General Appropriations Act or another appropriations act at the
18 discretion or by reason of the influence of a member for the use
19 at the direction or discretion of the member. The Ethics
20 Committee shall issue to any member upon the member's request a
21 legislative nonprofit organization opinion with respect to the
22 member's duties under this rule. The Ethics Committee shall,
23 within 14 days, issue the legislative nonprofit organization
24 opinion. No member who acts in good faith on a legislative
25 nonprofit organization opinion issued to that member by the
26 Ethics Committee shall be subject to any sanctions for so acting
27 if the material facts are as stated in the legislative nonprofit
28 organization opinion request. The Ethics Committee's legislative
29 nonprofit organization opinions shall be public records and may
30 from time to time be published, except that the member

requesting the legislative nonprofit organization opinion may
require that the legislative nonprofit organization opinion
contain deletions and changes necessary to protect the identity
of the persons involved.

Any member of the committee breaching the confidentiality of materials and events as set forth in this rule shall be removed immediately from the committee and replaced by another member of the House in a like manner as said member's original appointment.

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.

The committee shall continue to exist and have authority and power to function after the sine die adjournment of the General Assembly and shall so continue until the expiration of the then current term of office of the members of the committee.

RULE 47 (a)

Status of Members Indicted or Convicted of a Crime

When an indictment is returned or a charge is filed before a court of record against a member of the House, and the gravamen of the indictment or charge is directly related to the member's conduct as a committee chair or ranking minority committee member or in a position of leadership or is one which would render the member ineligible to the General Assembly under section 7 of Article II of the Constitution of Pennsylvania, the member shall be relieved of committee chair status, ranking minority committee member status or leadership position until the indictment or charge is disposed of, but the member shall otherwise continue to function as a Representative, including voting, and shall continue to be paid.

1 If, during the same legislative session, the indictment or
2 charge is quashed, dismissed or withdrawn, or the court finds
3 that the member is not guilty of the offense alleged, the member
4 shall immediately be restored to committee chair status, ranking
5 minority committee member status or the leadership position
6 retroactively from which he or she was suspended.

7 Upon a finding or verdict of guilt by a judge or jury, plea
8 or admission of guilt or plea of nolo contendere of a member of
9 the House of a crime, the gravamen of which relates to the
10 member's conduct as a Representative or which would render the
11 member ineligible to the General Assembly under section 7 of
12 Article II of the Constitution of Pennsylvania, and upon
13 imposition of sentence, the Parliamentarian of the House shall
14 prepare a resolution of expulsion under the sponsorship of the
15 Chair and Vice-Chair of the House Ethics Committee. The
16 resolution shall be printed and placed on the calendar for the
17 next day of House session.

18 RULE 48

19 Conference Committee

20 All Committees of Conference shall be appointed by the
21 Speaker and shall be composed of three members, two of whom
22 shall be selected from the majority party and one from the
23 minority party.

24 The conferees shall confine themselves to the differences
25 which exist between the House and Senate.

26 The presentation of reports of Committees of Conference shall
27 be in order after having been signed by a majority of members of
28 the committee of each House.

29 Consideration of a report of a Committee of Conference by the
30 House shall be in order when it has been printed, placed on the

1 desks of the members and listed on the calendar.

2 RULE 49

3 Committee Action

4 Whenever a bill, resolution or other matter has been referred
5 by the Speaker of the House to a standing committee, and such
6 committee has one or more standing subcommittees, the chair of
7 the standing committee may either refer it to an appropriate
8 subcommittee or retain it for consideration by the entire
9 standing committee. If it is retained, such standing committee
10 shall have full power and control over such bill, resolution or
11 other matter, except that such committee shall not change the
12 subject nor any amendments adopted by the House. Where the chair
13 of the standing committee refers such bill, resolution, or
14 matter to a subcommittee, such subcommittee, except as
15 hereinafter provided, shall have full power over the same.

16 The recommendations by a committee that a bill or resolution
17 be reported negatively shall not affect its consideration by the
18 House. The words "negative recommendation" shall be printed
19 conspicuously on a line above the title of this bill.

20 All standing subcommittees shall be subject to the will of
21 the majority of their parent standing committee and shall not
22 promulgate any rules or take any action inconsistent with the
23 rules of their parent standing committee or the Rules of the
24 House.

25 After a bill is reported out of committee, all committee
26 votes taken with respect to the bill shall be posted on the
27 Internet as soon as practicable.

28 RULE 50

29 Public Hearings

30 Each standing committee, subcommittee or select committee to

1 which a proposed bill, resolution or any matter is referred
2 shall have full power and authority to study said bill,
3 resolution or other matter before it, as such committee, shall
4 determine is necessary to enable it to report properly to the
5 House thereon. To this end, a standing committee, subcommittee,
6 or select committee, may as hereinafter provided, conduct public
7 hearings. No standing committee, subcommittee or select
8 committee shall hold any public hearings without prior approval
9 by a majority vote of the members of the standing committee and
10 the Speaker or the Majority Leader of the House. The Speaker or
11 the Majority Leader of the House shall withhold approval of
12 public hearings based only on budgetary consideration.

13 When a public hearing has been authorized as aforesaid, the
14 chair of the standing committee, subcommittee chair, or select
15 committee chair as the case may be, shall instruct the Chief
16 Clerk to give written notice thereof to each House Member not
17 less than five calendar days before the proposed hearings and
18 post the same in or immediately adjacent to the House Chambers.
19 Such notice, which shall contain the day, hour and place of the
20 hearing and the number or numbers of bills or other subject
21 matter to be considered at such hearing, shall also be given the
22 supervisor of the news room, and to the news media. In addition,
23 all provisions of 65 Pa.C.S. Ch. 7 (relating to open meetings),
24 relative to notice of meetings shall be complied with.

25 Public hearings held by a standing committee shall be chaired
26 by the chair of such committee, unless absent, in which case an
27 acting chair shall be selected in the manner prescribed by these
28 rules to serve. Public hearings held by standing subcommittees
29 shall be chaired by the subcommittee chair thereof, but the
30 chair of the parent standing committee, as an ex-officio member

1 of the subcommittee, shall have the right to attend and
2 participate in the hearing proceedings. In the absence of the
3 subcommittee chair, an acting chair shall be appointed in the
4 manner prescribed by these rules.

5 All public hearings shall be open to the public and
6 reasonable opportunity to be heard shall be afforded to all
7 interested parties who have requested an appearance before the
8 committee. In addition, it shall be the responsibility of the
9 committee in conducting its hearing to request the presentation
10 of testimony by any person who, in the opinion of the committee,
11 is qualified to present pertinent and important testimony.

12 Such committee shall, so far as practicable, request all
13 witnesses appearing before it to file written statements of
14 their proposed testimony. The chair shall have the right to fix
15 the order of appearance and the time to be allotted to
16 witnesses. Witnesses may submit brief pertinent statements in
17 writing for inclusion in the record. The committee is the sole
18 judge of the pertinency of testimony and evidence adduced at its
19 hearings.

20 The chair, in presiding at such public hearings, shall
21 preserve order and decorum, in and adjacent to his committee
22 room while the hearing is being conducted and shall have the
23 authority to direct the removal from the committee room of any
24 person who fails to comply with order and decorum of the
25 committee.

26 Proceedings of all public hearings shall be either
27 stenographically or electronically recorded. The committee shall
28 determine which parts of such recorded proceedings, if any,
29 shall be transcribed and the distribution thereof. Except as
30 hereinafter provided, no more than four copies of any transcript

1 shall be made. Such stenographic or electronic records and at
2 least one copy of any transcription shall be preserved by the
3 Chief Clerk until authorized to dispose of same by an
4 affirmative vote of three-quarters of the entire membership of
5 the Rules Committee and shall be made available to any member
6 upon written request for the purpose of copying or transcription
7 at that member's expense. Any transcribed records and any
8 reports of the committee shall be filed with the Chief Clerk or
9 his designee and shall be made available to any person in
10 accordance with reasonable rules and regulations prescribed by
11 the Chief Clerk. Upon payment of a reasonable cost to be
12 determined by the Chief Clerk, a person may obtain a copy of
13 such transcribed records or reports.

14 All written testimony and all transcribed testimony at
15 committee hearings shall be posted on the Internet as soon
16 thereafter as practicable.

17 The Chief Clerk shall not make payment of any expenses
18 incurred as a result of a public hearing without the prior
19 written approval of the Speaker or the Majority Leader of the
20 House.

21 RULE 51

22 Investigations

23 Any standing committee, subcommittee or select committee,
24 upon resolution introduced and approved by majority vote of the
25 House, may be authorized and empowered to conduct hearings at
26 any place in the Commonwealth to investigate any matter provided
27 for in such resolution. When authorized by such a resolution,
28 such committee shall be empowered to issue subpoenas under the
29 hand and seal of the chair thereof commanding any person to
30 appear before it and answer questions touching matters properly

1 being inquired into by the committee and produce such books,
2 papers, records, accounts, reports, and documents as the
3 committee deems necessary. Such subpoenas may be served upon any
4 person and shall have the force and effect of subpoenas issued
5 out of the courts of this Commonwealth. Where any person
6 willfully neglects or refuses to comply with any subpoena issued
7 by the committee or refuses to testify before the committee on
8 any matter regarding which the person may be lawfully
9 interrogated, it shall be the duty of the committee to report
10 such disobedience or refusal to the House of Representatives,
11 and such person shall be subject to the penalties provided by
12 the laws of the Commonwealth in such cases. All such subpoenaed
13 books, papers, records, accounts, reports, and documents shall
14 be returned to the person from whom such material was subpoenaed
15 when the committee has completed its examination of such
16 material, but in no event later than the date on which the
17 committee completes its investigation. Such material, or any
18 information derived therefrom not a part of public sessions of
19 the committee, shall not be turned over to any person or
20 authority without the consent of the person from whom such
21 material was subpoenaed. Each member of the committee shall have
22 power to administer oaths and affirmations to witnesses
23 appearing before the committee. The Sergeant-at-Arms of the
24 Legislature or other person designated by the committee shall
25 serve any subpoenas issued by the committee, when directed to do
26 so by the committee. The subpoena shall be addressed to the
27 witness, state that such proceeding is before a committee of the
28 House at which the witness is required to attend and testify at
29 a time and place certain and be signed by the chair of the
30 committee commanding attendance of such witness. Mileage and

1 witness fees shall be paid to such witness in an amount
2 prescribed by law.

3 The chair of the investigative hearing shall call the
4 committee to order and announce in an opening statement the
5 subject or purposes of the investigation.

6 A copy of this rule shall be made available to the witnesses
7 at least three calendar days prior to his or her scheduled
8 testimony. Witnesses at investigative hearings, may be
9 accompanied by their own counsel for the purpose of advising
10 them concerning their constitutional rights. The chair, for
11 breaches of order or decorum or of professional ethics on the
12 part of counsel, may exclude counsel from the hearing. Counsel
13 may interpose legal objection to any and all questions which in
14 the opinion of counsel may violate the civil or constitutional
15 rights of his or her clients.

16 If the committee determines that evidence or testimony at an
17 investigative hearing may tend to defame, degrade or incriminate
18 any person, it shall:

- 19 (1) receive such evidence or testimony in executive session;
- 20 (2) afford such person an opportunity voluntarily to appear
21 as a witness; and
- 22 (3) receive and dispose of requests from such person to
23 subpoena additional witnesses.

24 No evidence or testimony taken in executive session may be
25 released to any person or authority or used in public sessions
26 without the consent of the committee.

27 Proceedings of all public hearings shall be either
28 stenographically or electronically recorded. The committee shall
29 determine which parts of such recorded proceedings, if any,
30 shall be transcribed and four copies thereof shall be

1 matter shall be furnished to the committee by the Chief Clerk.

2 A committee or subcommittee shall not consider a bill,
3 resolution or other matter which is not in its possession.

4 When a committee reports to the House that a House bill,
5 House resolution or other House matter referred to it is lost,
6 upon a motion agreed to by the House, a duplicate certified copy
7 thereof shall be furnished by the Chief Clerk.

8 If the Senate bill, Senate resolution or other Senate matter
9 received from the Senate is lost, upon a motion agreed to by the
10 House, a request shall be made to the Senate to furnish the
11 House with a duplicate certified copy thereof.

12 If a bill, resolution or other matter is lost before it has
13 been referred to a committee, the fact shall be reported to the
14 House and the procedure provided by this rule shall be followed.

15 RULE 53

16 Discharge of Committees

17 A member may present to the Chief Clerk a resolution in
18 writing to discharge a committee from the consideration of a
19 bill or resolution which has been referred to it 15 legislative
20 days prior thereto (but only one motion may be presented for
21 each bill or resolution). The discharge resolution shall be
22 placed in the custody of the Chief Clerk, who shall arrange some
23 convenient place for the signature of the members. A signature
24 may be withdrawn by a member in writing at any time before the
25 discharge resolution is entered in the Journal. When 25 members
26 of the House shall have signed the resolution, it shall be
27 entered in the Journal and the title of the bill or resolution
28 and the name of the committee to be discharged shall be printed
29 on the calendar.

30 Any member who has signed a discharge resolution which has

1 been on the calendar at least one legislative day prior thereto
2 and seeks recognition, shall be recognized for the purpose of
3 calling up the discharge resolution and the House shall proceed
4 to its consideration without intervening motion except one
5 motion to adjourn; however, no discharge resolution shall be
6 considered during the last six legislative days of any session
7 of the House. A majority vote of all the members elected to the
8 House shall be required to agree to a resolution to discharge a
9 committee. When any perfected discharge resolution has been
10 acted upon by the House and defeated it shall not be in order to
11 entertain during the same session of the House any other
12 discharge resolution from that committee of said measure, or
13 from any other committee of any other bill or resolution
14 substantially the same, relating in substance to or dealing with
15 the same subject matter.

16 RULE 54

17 Presentation and Withdrawal of Motions

18 When a motion which is in order has been made, the Speaker
19 shall state it or (if it is in writing) cause it to be read by
20 the Clerk. It shall then be in the possession of the House, but
21 it may be withdrawn by the maker at any time before decision or
22 amendment.

23 The Speaker shall put the question in the following form,
24 viz: "those in favor of the motion will say 'aye'." After the
25 affirmative is expressed, "those who are opposed will say 'no'."

26 All motions, except for the previous question and a motion
27 for reconsideration, may be made without a second.

28 No dilatory motion shall be entertained by the Speaker.

29 RULE 55

30 Privileged Motions

1 When a question is under debate or before the House, no
2 motion shall be received but the following, which shall take
3 precedence in the order named:

4 (1) To adjourn, or recess.

5 (2) To extend session.

6 [(2)] (3) A call of the House.

7 [(3)] (4) To lay on the table.

8 [(4)] (5) For the previous question.

9 [(5)] (6) To postpone.

10 [(6)] (7) To commit or recommit.

11 [(7)] (8) To amend.

12 Debate on the motion to postpone shall be confined to the
13 question of the postponement and shall not include discussion of
14 the main question.

15 The motion to commit or recommit is open to debate only as to
16 the reasons for or against reference to committee and shall not
17 include a discussion of the merits of the main question.

18 Debate on the motion to amend shall be limited to the
19 amendment and shall not include the general merits of the main
20 question.

21 RULE 56

22 Adjourn

23 A motion to adjourn or recess is debatable, cannot be amended
24 and is always in order, except:

25 (1) when another member has the floor; or

26 (2) when the House is voting.

27 RULE 57

28 Call of the House

29 If a question of the absence of a quorum is raised by a
30 member, the Speaker shall order the Sergeant-at-Arms to close

1 the doors of the House. No member shall be permitted to leave
2 the House, except by permission of the House. The names of the
3 members present shall be recorded and absentees noted. Those for
4 whom no leave of absence has been granted or no sufficient
5 excuse is made may, by order of a majority of the members
6 present, be sent for and taken into custody by the Sergeant-at-
7 Arms and assistants appointed for that purpose, and brought
8 before the bar of the House where, unless excused by a majority
9 of the members present, they shall be censured or punished for
10 neglect of duty as the House may direct.

11 Further proceedings under a call of the House may be
12 dispensed with at any time after the completion of the roll call
13 and the announcement of the result.

14 These proceedings shall be without debate, and no motion,
15 except to adjourn, shall be in order.

16 RULE 58

17 Persons Admitted Under a Call of the House

18 Members who voluntarily appear during a call of the House
19 shall be admitted to the House. Upon recognition by the Speaker
20 they shall announce their presence and their names shall be
21 recorded on the roll.

22 Officers of the House, accredited correspondents and
23 employees designated by the Chief Clerk shall be admitted to the
24 House during a call.

25 Visitors shall not be admitted to the House after the doors
26 are closed and until the proceedings under the call are
27 terminated, but they shall be permitted to leave.

28 RULE 59

29 Lay on the Table

30 A motion to lay on the table is debatable[,] by the Majority

1 Leader, the Minority Leader, the maker of the motion, the maker
2 of the amendment under consideration and the prime sponsor of
3 the bill under consideration. It is not subject to amendment and
4 carries with it the main question and all other pending
5 questions which adhere to it, except when an appeal is laid on
6 the table. The passage of a motion to lay an amendment on the
7 table shall cause the subject bill or resolution and all other
8 amendments to be laid on the table.

9 RULE 60

10 Motion to Take from the Table

11 A motion to take from the table a bill or other subject is in
12 order under the same order of business in which the matter was
13 laid on the table. It shall be decided without amendment and is
14 debatable by the Majority Leader, the Minority Leader, the maker
15 of the motion, the maker of the amendment under consideration
16 and the prime sponsor of the bill under consideration.

17 RULE 61

18 Previous Question

19 A motion for the previous question, seconded by 20 members
20 and sustained by a majority of the members present, shall put an
21 end to all debate and bring the House to an immediate vote on
22 the question then pending, or the questions on which it has been
23 ordered.

24 A motion for the previous question may be made to embrace any
25 or all pending amendments or motions and to include the passage
26 or rejection of a bill or resolution.

27 RULE 62

28 Call for Yeas and Nays—Reasons for Vote

29 The yeas and nays of the members on any question shall, at
30 the desire of any two of them, be entered on the Journal.

1 (Constitution, Article II, Section 12).

2 When the Speaker or any member is not satisfied with a voice
3 vote on a pending question, the Speaker may order a roll call
4 vote; or, upon request of two members, before the result of the
5 vote is announced, the Speaker shall order a roll call vote.

6 A member may submit a written explanation of his or her vote
7 immediately following the announcement of the result of the vote
8 and have it printed in the Journal.

9 RULE 63

10 Division of a Question

11 Any member may call for a division of a question by the
12 House, if it comprehends propositions so distinct and separate
13 that one being taken away, the other will stand as a complete
14 proposition for the decision of the House. Bills and resolutions
15 shall not be subject to division.

16 A motion to strike out and insert is indivisible, but a
17 motion to strike out being lost shall neither preclude amendment
18 nor a motion to strike out and insert.

19 RULE 64

20 Members Required to be Present and Vote

21 Every member shall be present within the Hall of the House
22 during its sittings, unless excused by the House or unavoidably
23 prevented, and shall vote for or against each question put,
24 unless he or she has a direct personal or pecuniary interest in
25 the determination of the question or unless excused.

26 No member shall be permitted to vote and have his or her vote
27 recorded on the roll unless present in the Hall of the House
28 during the roll call vote.

29 The Legislative Journal shall show the result of each roll
30 call by yeas and nays and those absent and those not voting.

RULE 64 (a)

Chronic Absenteeism

For purposes of this rule the term "chronic absenteeism" shall mean the unexcused absence of a representative for a period of five consecutive legislative days from official sessions of the House of Representatives or the absence of a committee member for a period of five consecutive days from an assigned committee meeting which meeting qualifies as a regular committee meeting under the rules of the House of Representatives and the Sunshine Law of the Commonwealth.

Any representative who is absent without excuse from regular House sessions for a period of five consecutive legislative days or is absent for a period of five consecutive committee meetings shall be deemed a chronic absentee and may, on a vote of the full House, be held in contempt of this House upon motion of five members of the House for chronic absence from regular House sessions and by motion of three members of the standing committee of the House to which such representative is assigned for chronic absence from regularly scheduled committee meetings.

The term "chronic absenteeism" shall not include:

(1) Absence due to the personal illness or bodily injury of a representative.

(2) Absence due to personal illness or bodily injury of a member of the immediate family of the representative.

(3) Death to a member of the immediate family of a representative.

(4) Any excused absence approved by the House pursuant to its rules.

RULE 65

Member Having Private Interest

1 (1) A member who has a personal or private interest in any
2 measure or bill proposed or pending before the House shall
3 disclose the fact to the House and shall not vote thereon.
4 (Constitution, Article III, Section 13).

5 (2) A member who, for remuneration, represents any
6 organization required to register under 65 Pa.C.S. Ch. 13A
7 (relating to lobbying disclosure) shall file a statement of that
8 fact with the Chief Clerk.

9 RULE 65 (a)

10 Professionals-Legislators

11 (1) Except as hereinafter provided, any member or employee
12 of the House or its agencies shall not be retained for
13 compensation to appear in his or her professional capacity to
14 represent the interest of any client in any proceeding before
15 any Commonwealth department, board, agency, bureau or
16 commission, except that such member or employee is authorized to
17 represent the interest of a client at any stage of a proceeding
18 before the Commonwealth or its agencies where such proceeding
19 was initially taken or brought as a ministerial action, as
20 defined by this rule, and as originally taken was not initially
21 adverse in nature to the interest of the Commonwealth or its
22 agencies.

23 (2) The provisions of this rule shall not be applicable to
24 professionals-legislators:

25 (a) Representing clients on criminal matters before the
26 courts of the Commonwealth.

27 (b) Representing clients on civil matters before the
28 courts of the Commonwealth.

29 (c) Representing clients in all stages of a proceeding
30 before the Commonwealth or its agencies which was initially

1 commenced as a ministerial action. The term "ministerial
2 action" means and includes any proceeding or action before
3 the Commonwealth or its agencies where the proceeding, as
4 initially commenced involved solely:

5 (i) The uncontested or routine action by the
6 Commonwealth's administrative officers or employees in
7 issuing or renewing licenses, charters, certificates or
8 any other documents of a similar nature; or

9 (ii) The preparation, filing and review of tax
10 returns and supporting documents required by law; or

11 (iii) The preparation, filing and review of
12 engineering and architectural plans, drawings,
13 specifications and reports; or

14 (iv) Any other initially routine or uncontested
15 preparation, filing, review or other action not
16 enumerated above and considered and normally handled by
17 the Commonwealth or its agencies as a ministerial action.

18 (d) Representing clients in workmen's compensation
19 proceedings before the bureau, its referees or the Workmen's
20 Compensation Appeals Board.

21 (3) This rule shall not apply to the other members of the
22 firm of such member and/or employee.

23 RULE 65 (b)

24 Financial Interests in Gaming Entities

25 Annually, on or before April 30, every member shall file an
26 affidavit with the Chief Clerk, on a form provided by the Chief
27 Clerk, affirming that neither the member nor an immediate family
28 member of the member holds a financial interest in violation of
29 4 Pa.C.S. § 1512 (relating to financial and employment
30 interests).

1 For purposes of this rule, "immediate family member" shall
2 mean a spouse, minor child or unemancipated child.

3 RULE 66

4 Electric Roll Call

5 The names of the members shall be listed on the electric roll
6 call boards by party affiliation in alphabetical order, except
7 the name of the Speaker shall be last.

8 On any question requiring the "yeas" and "nays", the electric
9 roll call system shall be used. On all other questions to be
10 voted upon, the Speaker may order the yeas and nays taken by the
11 electric roll call system or voice vote or, upon demand of two
12 members before the result of a vote has been declared, the yeas
13 and nays shall be taken by the electric roll call system.

14 In the event the electric roll call system is not in
15 operating order, the Speaker shall order all yea and nay votes
16 be taken by calling the roll, as provided in the Rules of the
17 House.

18 The vote of any member which has not been recorded because of
19 mechanical malfunction of the electric roll call system shall be
20 entered on the Journal, if said member was in the Hall of the
21 House at the time of the vote and did cast his or her vote at
22 the appropriate time, and the fact of such malfunction is
23 reported to the Speaker of the House prior to the announcement
24 of the result of the vote.

25 When the House is ready to vote upon any question requiring
26 the yeas and nays and the vote is to be taken by the electric
27 roll call system, the Speaker shall state: "The
28 question (Designating the matter to be voted
29 upon.)" The Speaker shall then unlock the voting machine and
30 announce, "The members shall now proceed to vote." Once the

1 voting has begun, it shall not be interrupted, except for the
2 purpose of questioning the validity of a member's vote or, if
3 the voting switch of a member present in the Hall of the House
4 is locked or otherwise inoperative, a request that such switch
5 be rendered operative or such members vote be officially
6 recorded, before the result is announced.

7 When, in the judgment of the Speaker, reasonable time has
8 been allowed all members present in the House to vote (in no
9 event shall such time exceed ten minutes) the Speaker shall ask
10 the question: "Have all members present voted?" After a pause,
11 the Speaker shall lock the machine and instruct the Clerk to
12 record the vote, and the Speaker shall announce the result of
13 the vote.

14 No member or other person shall be allowed at the Clerk's
15 desk while the yeas and nays are being recorded, or the vote
16 counted.

17 After the voting machine is locked, no member may change a
18 vote and the votes of tardy members will not be recorded.

19 The vote as electrically recorded on the roll of members
20 shall not in any manner be altered or changed by any person.

21 Except as provided in this rule, no member shall vote for
22 another member, nor shall any person not a member vote for a
23 member.

24 Any member or other person who willfully tampers with or
25 attempts to disarrange, deface, impair or destroy in any manner
26 whatsoever the electrical voting equipment used by the House, or
27 who instigates, aids or abets with the intent to destroy or
28 change the record of votes thereon shall be punished in such
29 manner as the House determines.

30 A member who has been appointed by the Speaker to preside as

1 Speaker pro tempore may designate either the Majority or
2 Minority Whip to cast his or her vote on any question while
3 presiding in accordance with instructions from the Chair.

4 The Chief Clerk shall post all votes by the electric roll
5 call system on the Internet no later than the close of business
6 on the day they are made.

7 A prime sponsor of a bill, the Minority Leader or Majority
8 Leader or a member designated to act on their behalf may request
9 that the roll call remain open for the maximum time allowed in
10 accordance with this rule. During such roll call, no vote shall
11 be recorded unless the member is at his or her regularly
12 assigned seat.

13 RULE 67

14 Verification and Challenge

15 Upon completion of a roll call and before the result is
16 announced, if there appears to be need for verification, the
17 Speaker may direct the Clerk to verify it, or three members may
18 demand a verification.

19 Any member may challenge in writing the yea or nay or
20 electrically recorded vote of other members. The allegations
21 made shall be investigated by a committee composed of the
22 Speaker, a majority member and a minority member appointed by
23 the Speaker, who shall submit a report to the House not later
24 than its next session. The House shall then decide whether the
25 challenged vote shall be recorded or not.

26 If the challenged vote would change the result, the
27 announcement of the vote shall be postponed until the House
28 decides the case.

29 RULE 68

30 Changing Vote

1 No member may change a vote, or have a vote recorded after
2 the result of a roll call vote has been announced, nor after an
3 affirmative or negative roll has been declared verified.

4 RULE 69

5 Journal

6 The Chief Clerk shall keep a Journal of the proceedings of
7 the House, which shall be printed and shall be made available to
8 the members.

9 The Journal of the proceedings of the last day's session
10 shall not be read unless so ordered by a majority vote of the
11 House.

12 RULE 70

13 History of House Bills

14 and House Resolutions

15 A weekly History, showing the title and action on House bills
16 and the text and action on non-privileged resolutions, shall be
17 compiled and indexed under the direction of the Chief Clerk and
18 shall be printed and placed on each member's desk.

19 The House History shall include a cumulative index of laws
20 enacted during the session and the text of vetoes by the
21 Governor.

22 RULE 71

23 House Calendar

24 Bills and non-privileged resolutions reported from committees
25 to the House with an affirmative recommendation shall be listed
26 on the calendar in such manner as prescribed by the Rules
27 Committee and any other rule of the House. House bills and House
28 resolutions shall precede Senate bills and Senate resolutions.

29 Bills and non-privileged resolutions shall be listed on the
30 House Calendar for no more than 15 consecutive legislative days.

1 At the end of the 15th consecutive legislative day the said bill
2 or non-privileged resolution shall be automatically recommitted
3 to the committee from which it was reported to the floor of the
4 House.

5 Any bill or non-privileged resolution on the calendar which
6 cannot, by its status, be recommitted shall be removed from the
7 calendar and laid on the table, unless the House shall otherwise
8 direct.

9 A marked calendar compiled by the Majority Leader shall be
10 provided to all members on each legislative day on which votes
11 are scheduled on the calendar.

12 RULE 72

13 Journal, Transcribing and

14 Documents Rooms

15 No person, except members and employees of the House having
16 official business, shall be permitted in the Transcribing, the
17 Legislative Journal, and the Bills and Documents Rooms of the
18 House without the consent of the Chief Clerk.

19 RULE 73

20 Correspondents

21 Admission to and administration of the Press Galleries of the
22 Senate and House of Representatives shall be vested in a
23 Committee on Correspondents consisting of the President pro
24 tempore of the Senate, or a designee; the Speaker of the House
25 of Representatives, or a designee; the Supervisor of the Capitol
26 Newsroom; the President of the Pennsylvania Legislative
27 Correspondents' Association, or a designee and the Executive
28 Director of the Pennsylvania Association of Broadcasters, or a
29 designee.

30 Persons desiring admission to the press sections of the

1 Senate and House of Representatives shall make application to
2 the Chair of the Committee on Correspondents. Such application
3 shall state the newspaper, press association or licensed radio
4 or television station, its location, times of publication or
5 hours of broadcasting, and be signed by the applicant.

6 The Committee on Correspondents shall verify the statements
7 made in such application, and, if the application is approved by
8 the committee, shall issue a correspondent's card signed by the
9 members of the committee.

10 The gallery assigned to newspaper correspondents or
11 recognized press association correspondents or representatives
12 of licensed radio and television stations, systems or
13 newsgathering agencies shall be for their exclusive use and
14 persons not holding correspondents cards shall not be entitled
15 to admission thereto. Employees of the General Assembly,
16 representatives and employees of state departments, boards,
17 commissions and agencies, visitors and members of the families
18 of correspondents entitled to admission to the press gallery
19 shall, at no time, be permitted to occupy the seats or be
20 entitled to the privileges of the press gallery.

21 Accredited representatives of newspapers, wire, newsreel
22 services and licensed radio or television stations, systems or
23 newsgathering agencies, may be authorized by the Speaker of the
24 House to take photographs, make audio or video recordings or
25 tapes, and to broadcast or televise in the House of
26 Representatives. Applications to take photographs, make audio or
27 video recordings or tapes, or to broadcast or televise at public
28 hearings of committees shall be approved by the committee chair
29 or co-chairs conducting such hearing. However, the committee
30 chair conducting the hearing may make such orders to such

1 representatives as may be necessary to preserve order and
2 decorum.

3 No photographs shall be taken nor any recordings or tapes
4 made, nor any broadcasting or televising done in the House of
5 Representatives during sessions, being at ease or recessed,
6 without prior notice to the Representatives. When possible, such
7 notice shall be given at the beginning of the session, at ease
8 or recess, during which the photographs, recordings or taping,
9 broadcasting or televising are scheduled to be taken or made.

10 No more than one representative of each newspaper, press
11 association or licensed radio or television station, system or
12 newsgathering agency shall be admitted to the press gallery at
13 one time. Members of the Pennsylvania Legislative
14 Correspondents' Association and representatives of licensed
15 radio and television stations, systems or newsgathering
16 agencies, assigned to the House of Representatives on a daily
17 basis shall have permanent assigned seating in the press gallery
18 with identification plates. Visiting representatives of daily
19 newspapers, press associations, Sunday newspapers as well as
20 radio and television stations, systems or newsgathering agencies
21 shall coordinate seating accommodations with the supervisor of
22 the Capitol Newsroom.

23 Persons assigned to the press gallery on a permanent or
24 temporary basis, shall at all times, refrain from loud talking
25 or causing any disturbance which tends to interrupt the
26 proceedings of the House of Representatives.

27 Persons assigned to the press gallery on a permanent or
28 temporary basis shall not walk onto the floor of the House of
29 Representatives nor approach the rostrum or the clerks' desks
30 during session or while being at ease.

1 Persons assigned to the press gallery on a permanent or
2 temporary basis wishing to confer with a Representative shall
3 disclose this fact by having a message delivered by a page to
4 the Representative. Such conversation shall be conducted off the
5 floor of the House of Representatives.

6 Representatives of the Pennsylvania Public Broadcasting
7 System may, subject to regulations of the Speaker, televise or
8 make video tapes of proceedings of sessions of the House of
9 Representatives and meetings of all committees of the House of
10 Representatives.

11 RULE 74

12 Visitors

13 Visitors shall be admitted to the Hall of the House only when
14 sponsored by a member. The Chief Clerk shall issue an
15 appropriate pass to any visitor so sponsored.

16 Persons admitted to the Hall of the House other than members
17 and attaches, shall not be permitted to stand while the House is
18 in session but shall be seated in chairs provided for them. At
19 no time shall visitors be permitted on the Floor of the House
20 while the House is in session unless so permitted by the
21 Speaker.

22 RULE 75

23 Lobbyists

24 No registered lobbyist shall be admitted to the Hall of the
25 House.

26 RULE 76

27 Soliciting Prohibited

28 No officer or employee of the House shall solicit any member,
29 other officer or employee of the House for any purpose.

30 RULE 77

1 Suspending and Changing Rules

2 Unless otherwise specified in another rule, any rule of the
3 House, which is not required by the Constitution, may be
4 temporarily suspended at any time for a specific purpose only by
5 a vote of two-thirds of the members elected to the House by a
6 roll call vote.

7 A motion to suspend the rules may not be laid on the table,
8 postponed, committed or amended and may be debated by the
9 majority leader, the minority leader, the maker of the motion,
10 the maker of the amendment under consideration and the prime
11 sponsor of the bill under consideration.

12 A brief description of the underlying bill or amendment shall
13 be given whenever a member moves to suspend the rules of the
14 House in order to consider such bill or amendment.

15 The existing rules of the House shall not be changed, added
16 to, modified or deleted except by written resolution and the
17 same approved by a majority vote of the members elected to the
18 House by a roll call vote.

19 Except where such resolution originates with the Committee on
20 Rules, no resolution proposing any change, addition,
21 modification or deletion to existing House rules shall be
22 considered until such resolution has been referred to the
23 Committee on Rules, reported therefrom, printed, filed on the
24 desk of each member and placed on the calendar.

25 Any proposed change, addition, modification or deletion
26 offered by a member on the floor of the House to such resolution
27 shall be considered, in effect, a change, addition, modification
28 or deletion to existing House rules and shall require for
29 approval a majority vote of the members by a roll call vote.

30 RULE 78

Parliamentary Authority

Mason's Manual supplemented by Jefferson's Manual of
Legislative Procedure shall be the parliamentary authority of
the House, if applicable and not inconsistent with the
Constitution of Pennsylvania, the laws of Pennsylvania
applicable to the General Assembly, the Rules of the House, the
established precedents of the House and the established customs
and usages of the House.