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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE RESOLUTION

No. 128 Session of  
2021

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INTRODUCED BY K. WARD AND COSTA, JUNE 4, 2021

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REFERRED TO RULES AND EXECUTIVE NOMINATIONS, JUNE 4, 2021

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A RESOLUTION

1 Amending the Rules of the Senate, further providing for  
2 temporary emergency Rules of the Senate.

3 RESOLVED, That Rule 38 of the Rules of the Senate of  
4 Pennsylvania be amended to read:

5 Rule 38. Temporary emergency Rules of the Senate.

6 (a) Continuity of legislative operations.--In order to  
7 maintain the continuity of the legislative operations of the  
8 Senate and protect the health, safety and welfare of the  
9 residents of the Commonwealth, based on the declaration of  
10 disaster emergency issued by the Governor on March 6, 2020, the  
11 effect of which makes the convening of some or all of the  
12 members of the Senate as a body in the Senate chamber of the  
13 Capitol Building or at a single location imprudent, inexpedient  
14 or impossible, the following apply:

15 (1) Notwithstanding Rules 6 and 7 the following apply:

16 (i) In the absence of the Secretary-Parliamentarian  
17 and the Chief Clerk and subject to the direction of the  
18 President Pro Tempore, the Assistant Secretary shall

1 attest all writs, warrants and subpoenas issued by order  
2 of the Senate and shall certify as to the passage of  
3 Senate bills and the approval of executive nominations.

4 (ii) In the absence of both officers and the  
5 Assistant Secretary, the President Pro Tempore shall  
6 designate a signatory.

7 [(2) Notwithstanding Rule 9, there shall be no guest  
8 introductions.]

9 (3) Notwithstanding Rule 14(h), members may remotely  
10 participate in committee meetings as follows:

11 (i) A quorum shall be established through a roll  
12 call.

13 (ii) Technology employed for remote committee  
14 meetings must safeguard the integrity of the legislative  
15 process and maintain the deliberative character of the  
16 meeting by providing for simultaneous aural and verbal  
17 communication among all participants.

18 (4) Notwithstanding Rule 14, the following apply:

19 (i) The President Pro Tempore may appoint a Senator  
20 to serve in a temporary capacity as a member of a  
21 committee, serving only for the duration of a single  
22 session day for a particular committee meeting.

23 (ii) The President Pro Tempore shall transmit this  
24 designation to the Secretary-Parliamentarian for  
25 retention during the two-year legislative session, and  
26 this record shall be available for public inspection upon  
27 request.

28 (iii) The communication shall be read across the  
29 desk and printed in the Senate Journal on the next  
30 legislative day of the Senate.

1           (5) In addition to the provisions of Rule 14, the  
2 following apply:

3           (i) Regulations may be deposited with the  
4 Legislative Reference Bureau.

5           (ii) The bureau shall transmit the regulations to  
6 the appropriate committee for consideration within 24  
7 hours.

8           (iii) The bureau shall transmit notice of the  
9 transmission of the regulations to the Secretary-  
10 Parliamentarian.

11           (iv) The time for consideration shall begin on the  
12 date the committee receives the regulations from the  
13 bureau.

14           (6) In addition to the provisions of Rule 17, the  
15 following apply:

16           (i) Members participating remotely may cast votes  
17 for all measures considered and brought to a vote by the  
18 committee, as if the members were physically present at  
19 the committee meeting.

20           (ii) The identity of the voting member must be  
21 verified by the Chair.

22           (iii) A member may also vote on matters before the  
23 committee pursuant to Rule 16(3).

24           (7) Notwithstanding Rule 20, members may remotely  
25 participate in the session of the Senate as follows:

26           (i) Members participating remotely may cast votes  
27 for all measures considered and brought to a vote during  
28 session, as if the members were physically present at the  
29 session of the Senate.

30           (ii) The identity of the voting member must be

1 verified by the presiding officer.

2 (iii) Technology employed for remote participation  
3 in Senate session must safeguard the integrity of the  
4 legislative process and maintain the deliberative  
5 character of the session by providing for simultaneous  
6 aural and verbal communication among all participants.

7 (iv) A member may also vote as provided in Rule  
8 20(b)(1) and (2).

9 (8) Notwithstanding Rule 23, the Chief Clerk may provide  
10 for remote participation technology that enables members to  
11 participate in committee meetings and Senate session.

12 (9) Notwithstanding Rule 27, the following apply:

13 (i) Senators participating remotely in the session  
14 of the Senate shall be counted for the purpose of  
15 determining a quorum.

16 (ii) A quorum shall be established through a roll  
17 call if the identity of the voting member is identified  
18 by the presiding officer.

19 (10) This rule shall expire [May 31, 2021] July 1, 2021,  
20 or 10 days following the expiration of the emergency  
21 declaration, whichever is earlier, unless otherwise further  
22 extended in accordance with the Rules of the Senate.

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

26 "Remote participation." Simultaneous, interactive  
27 participation in a committee meeting by committee members not  
28 physically present at the location of the meeting, through means  
29 of communication technologies designed to accommodate and  
30 facilitate such simultaneous, interactive participation.