

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 3

Session of
2017

INTRODUCED BY CORMAN AND COSTA, JANUARY 3, 2017

INTRODUCED AND ADOPTED, JANUARY 3, 2017

A RESOLUTION

1 Adopting the Rules of the Senate for the 201st and 202nd Regular
2 Session.

3 RESOLVED, That the following be adopted as the Rules of the
4 Senate for the governing of the 201st and 202nd Regular Session.

5 (2017-2018)

6 RULES OF THE SENATE OF PENNSYLVANIA

7 Rule 1. Sessions.

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

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

17 Rule 2. President.

18 The Lieutenant Governor shall be President of the Senate.

1 (Const. Art. IV, Sec. 4)

2 Rule 3. Duties of the President.

3 The President shall:

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

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

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

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

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

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

1 of signing shall be entered in the Journal on the next
2 available session day.

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

12 Rule 4. President Pro Tempore.

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

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

27 Rule 5. Duties of President Pro Tempore.

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

29 (1) Appoint the Chair, Vice Chair and members of the
30 Standing Committees of the Senate as soon after the election

of the President Pro Tempore as possible.

(2) Appoint members to special committees whenever authorized.

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

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

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

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

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

Rule 6. Duties of the Secretary-Parliamentarian.

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

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

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

(2) Act in the capacity of Parliamentarian.

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

1 Tempore:

2 (1) Direct the following functions:

3 (i) Amending bills in the Senate.

4 (ii) Preparing and publishing the Senate Calendar.

5 (iii) Publication of the Senate History.

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

10 (v) Printing of bills.

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

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

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

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

30 (6) Supervise the Senate Library, assist Senators by

1 making reference material available to them and perform any
2 duties assigned to the Senate Librarian by any statute.

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

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

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

18 Rule 7. Duties of the Chief Clerk of the Senate.

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

22 (b) Duties.--The Chief Clerk shall be the chief fiscal
23 officer of the Senate and shall perform those duties prescribed
24 in section 2.4 of the act of January 10, 1968 (1967 P.L.925,
25 No.417), referred to as the Legislative Officers and Employees
26 Law. In addition, the Chief Clerk, subject to the direction of
27 the President Pro Tempore, shall perform those powers and duties
28 prescribed in the Financial Operating Rules of the Senate. In
29 the absence of the Secretary-Parliamentarian, the Chief Clerk
30 shall, subject to the direction of the President Pro Tempore,

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

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

5 The Chief Sergeant-at-Arms shall:

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

8 (2) Have charge of and direct the work of the assistant
9 sergeants-at-arms.

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

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

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

17 (6) Exclude from the Floor all persons not entitled to
18 the privilege of the same.

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

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

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

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

29 Rule 9. Order of Business.

30 (a) General rule.--The Order of Business to be observed in

1 taking up business shall be as follows:

2 First Call to Order.

3 Second Prayer by the Chaplain and

4 Pledge of Allegiance.

5 Third Reading of Communications.

6 Fourth Receiving reports of committees.

7 Fifth Asking of leaves of absence. No

8 Senator shall absent himself

9 without leave of the Senate,

10 first obtained, unless prevented

11 from attendance by sickness, or

12 other sufficient cause.

13 Sixth Approval of Journals of

14 preceding session days.

15 Seventh Offering of original

16 resolutions.

17 Eighth Introduction of Guests.

18 Ninth Consideration of the Calendar.

19 Any bill or resolution on the

20 Calendar not finally acted upon

21 within 10 legislative days shall

22 be removed from the Calendar and

23 laid on the table, unless the

24 Senate shall otherwise direct.

25 Tenth Consideration of Executive

26 Nominations.

27 Eleventh Unfinished Business. Reports of

28 Committees. Unanimous consent

29 resolutions. Congratulatory and

30 condolence resolutions.

1	Twelfth	First consideration of bills
2		reported from committee, which,
3		at this time, shall not be
4		subject to amendment, debate or
5		a vote thereon.
6	Thirteenth	Announcements by the Secretary-
7		Parliamentarian.
8	Fourteenth	Introduction of Petitions and
9		Remonstrances.
10	Fifteenth	Recess.

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

15 Rule 10. Order and decorum.

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

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

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

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

30 (e) Decorum.--When a Senator is speaking, no other person

1 shall pass between the Senator and the presiding officer.

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

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

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

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

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

28 Rule 11. Motions.

29 (a) Putting a motion.--When a motion is made, it shall,
30 before debate, be stated by the presiding officer. Every motion

1 made to the Senate and entertained by the presiding officer
2 shall be entered in the Journal with the name of the Senator
3 making it. A motion may be withdrawn by the Senator making it
4 before amendment, postponement, an order to lay on the table or
5 decision.

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

8 (1) Adjourn sine die.

9 (2) Recess.

10 (3) Previous question.

11 (4) Recess temporarily within the same session day.

12 (5) Questions of privilege of the Senate.

13 (6) Orders of the day.

14 (7) Lay on the table.

15 (8) Limit, close or extend limit on debate.

16 (9) Postpone.

17 (10) Commit or recommit.

18 (11) Amend.

19 (12) Main motion.

20 (c) Non-debatable motions.--Non-debatable motions are:

21 (1) Adjourn sine die.

22 (2) Recess.

23 (3) Recess temporarily within the same session day.

24 (4) Previous question.

25 (5) Lay on the table.

26 (6) Orders of the day.

27 (7) Limit, close or extend limit on debate.

28 (d) Motions which permit limited debate.--

29 (1) On the motion to postpone, the question of

30 postponement is open to debate, but the main question is not.

1 (2) The motion to commit or recommit to committee is
2 debatable as to the propriety of the reference, but the main
3 question is not open to debate.

4 (3) The motion to amend is debatable on the amendments
5 only and does not open the main question to debate.

6 (e) Seconding motions.--All motions, except for the previous
7 question, which shall be seconded by not less than four
8 Senators, may be made without a second.

9 (f) Recessing and convening.--

10 (1) A motion to recess shall always be in order, except,
11 when on the call for the previous question, the main question
12 shall have been ordered to be now put, or when a Member has
13 the Floor, and shall be decided without debate.

14 (2) On a motion to recess, adopted and not having a
15 reconvening time, the Senate will meet the following day at
16 10:00 a.m.

17 (3) The Senate shall not convene earlier than 8:00 a.m.
18 unless the Senate adopts a motion that sets forth the need to
19 convene earlier than 8:00 a.m.

20 (4) The Senate shall not recess later than 11:00 p.m.
21 each session day unless the Senate adopts a motion that sets
22 forth the need to recess later than 11:00 p.m.

23 (g) Motion for previous question.--Pending the consideration
24 of any question before the Senate, a Senator may call for the
25 previous question, and if seconded by four Senators, the
26 President shall submit the question: "Shall the main question
27 now be put?" If a majority vote is in favor of it, the main
28 question shall be ordered, the effect of which shall cut off all
29 further amendments and debate, and bring the Senate to a direct
30 vote first upon the pending amendments and motions, if there be

1 any, then upon the main proposition. The previous question may
2 be ordered on any pending amendment or motion before the Senate.

3 (h) Motion to lay on table.--The motion to lay on the table
4 is not debatable, and the effect of the adoption of this motion
5 is to place on the table the pending question and everything
6 adhering to it. Questions laid on the table remain there for the
7 entire session unless taken up before the session closes.

8 (i) Motion to take from table.--A motion to take from the
9 table, a bill or other subject, is in order under the same order
10 of business in which the matter was tabled. It shall be decided
11 without debate or amendment.

12 (j) Reconsideration.--

13 (1) When a question has once been made and carried in
14 the affirmative or negative, it shall be in order to move the
15 reconsideration thereof. When the Senate has been equally
16 divided on a question, or a bill shall have failed to pass by
17 reason of not having received the number of votes required by
18 the Constitution, it shall be in order to move the
19 reconsideration thereof.

20 (2) Provided, however, that no motion for the
21 reconsideration of any vote shall be in order after a bill,
22 resolution, report, amendment or motion upon which the vote
23 was taken shall have gone out of the possession of the
24 Senate.

25 (3) Provided, further, that no motion for
26 reconsideration shall be in order unless made on the same day
27 on which the vote was taken, or within the next five days of
28 voting session of the Senate thereafter.

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

1 (5) When a bill, resolution, report, amendment, order,
2 or communication, upon which a vote has been taken, shall
3 have gone out of the possession of the Senate and been sent
4 to the House of Representatives or to the Governor, the
5 motion to reconsider shall not be in order until a resolution
6 has been passed to request the House or Governor to return
7 the same and the same shall have been returned to the
8 possession of the Senate.

9 Rule 12. Bills.

10 (a) Passage of bills.--

11 (1) No law shall be passed except by bill, and no bill
12 shall be so altered or amended, on its passage through either
13 House, as to change its original purpose. (Const. Art. III,
14 Sec. 1)

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

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

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

1 (d) Consideration of bills.--Every bill shall be considered
2 on three different days in each House. All amendments made
3 thereto shall be available pursuant to Rule 13(a)(2) for the use
4 of the members before the final vote is taken on the bill. Upon
5 written request addressed to the presiding officer of the Senate
6 by at least 25% of the Members elected to the Senate, any bill
7 shall be read at length in that House. No bill shall become a
8 law, unless on its final passage the vote is taken by yeas and
9 nays, the names of the persons voting for and against it are
10 entered on the Journal, and a majority of the Members elected to
11 each House is recorded thereon as voting in its favor. (Const.
12 Art. III, Sec. 4)

13 (e) Local and special bills.--No local or special bill shall
14 be passed unless notice of the intention to apply therefor shall
15 have been published in the locality where the matter or the
16 thing to be effected may be situated, which notice shall be at
17 least 30 days prior to the introduction into the General
18 Assembly of such bill and in the manner to be provided by law;
19 the evidence of such notice having been published shall be
20 exhibited in the General Assembly before such act shall be
21 passed. (Const. Art. III, Sec. 7)

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

25 (g) Appropriation bills.--

26 (1) The general appropriation bill shall embrace nothing
27 but appropriations for the executive, legislative and
28 judicial departments of the Commonwealth, for the public debt
29 and for public schools. All other appropriations shall be
30 made by separate bills, each embracing but one subject.

1 (Const. Art. III, Sec. 11)

2 (2) No appropriation shall be made for charitable,
3 educational or benevolent purposes to any person or community
4 nor to any denomination and sectarian institution,
5 corporation or association: Provided, That appropriations may
6 be made for pensions or gratuities for military service and
7 to blind persons 21 years of age and upwards and for
8 assistance to mothers having dependent children and to aged
9 persons without adequate means of support and in the form of
10 scholarship grants or loans for higher educational purposes
11 to residents of the Commonwealth enrolled in institutions of
12 higher learning, except that no scholarship, grants or loans
13 for higher educational purposes shall be given to persons
14 enrolled in a theological seminary or school of theology.

15 (Const. Art. III, Sec. 29)

16 (h) Charitable and educational appropriations.--No
17 appropriation shall be made to any charitable or educational
18 institution not under the absolute control of the Commonwealth,
19 other than normal schools established by law for the
20 professional training of teachers for the public schools of the
21 State, except by a vote of two-thirds of all the members elected
22 to each House. (Const. Art. III, Sec. 30)

23 (i) Land transfer legislation.--

24 (1) No bills granting or conveying Commonwealth land or
25 taking title thereto shall be reported by any committee of
26 the Senate unless there has been filed with the Secretary-
27 Parliamentarian and the Chair of the Reporting Committee, a
28 memorandum from the Department of General Services indicating
29 the use to which the property is presently employed, the full
30 consideration for the transfer, if any, a departmental

1 appraisal of the property, including its valuation and a list
2 of recorded liens and encumbrances, if any, the use to which
3 the property will be employed upon its transfer, the date by
4 which the land is needed for its new use and the senatorial
5 district or districts in which the land is located. The
6 memorandum shall be filed within 60 days after a request is
7 made for same and contain a statement by a responsible person
8 in the Department of General Services indicating whether or
9 not the departments involved favor the transfer which is the
10 subject of the bill under consideration.

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

29 (j) Consideration during second regular session.--All bills,
30 joint resolutions, resolutions, concurrent resolutions or other

1 matters pending before the Senate upon the recess of a first
2 regular session convening in an odd-numbered year shall maintain
3 their status and be pending before a second regular session
4 convening in an even-numbered year but not beyond adjournment
5 sine die or November 30th of such year, whichever first occurs.

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

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

18 (m) Printing of amended bills.--

19 (1) All bills reported or re-reported from committee, if
20 amended by the committee, and all bills on the Calendar, if
21 amended by the Senate, shall be reprinted and a new printer's
22 number assigned thereto before any action is taken thereon.

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

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

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

1 (p) Third consideration and final passage.--

2 (1) The following apply:

3 (i) Bills on third consideration may be amended and
4 are subject to debate. Bills on final passage may not be
5 amended but are open to debate. The vote on final passage
6 shall be taken by a roll call. The names of the Senators
7 voting for and against shall be recorded, entered in the
8 Journal and posted on the Internet website maintained by
9 the Senate. No bill shall be declared passed unless a
10 majority of all Senators elected to the Senate shall be
11 recorded as voting for the same.

12 (ii) No bill which may require an expenditure of
13 Commonwealth funds or funds of any political subdivision
14 or cause a loss of revenue to the Commonwealth or any
15 political subdivision shall be given third consideration
16 on the Calendar until it has been referred to the
17 Appropriations Committee and a fiscal note attached
18 thereto.

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

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

27 (2) The following apply:

28 (i) It shall not be in order, by suspension of this
29 Rule or otherwise, to consider a bill on final passage
30 unless it is printed, together with amendments, if any,

1 and made available to the Senators.

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

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

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

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

1 bills, joint resolutions and resolutions available for
2 distribution.

3 Rule 13. Amendments.

4 (a) When in order.--

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

14 (2) Amendments offered on the Floor shall be read by the
15 Reading Clerk and stated by the presiding officer to the
16 Senate before being acted upon. Amendments shall be presented
17 with at least four typewritten copies obtained through the
18 Legislative Reference Bureau, which shall have the Sponsor
19 identified. No amendment may be considered by the Senate
20 until the Secretary-Parliamentarian of the Senate has posted
21 the amendment on the Internet website maintained by the
22 Senate.

23 (3) Amendments to bills or other main motions or
24 questions before the Senate may be tabled. When an amendment
25 proposed to any bill or other main motion or question before
26 the Senate is laid on the table, it shall not carry with it
27 or prejudice the bill, main motion or question. A motion to
28 take an amendment from the table shall only be in order if
29 the bill or other main motion or question remains before the
30 Senate for decision. The motion to take an amendment from the

1 table is not debatable and shall have the same precedence as
2 the motion to amend.

3 (b) Amendments reconsidering; revert to prior print.--

4 Amendments adopted or defeated may not be again considered
5 without reconsidering the vote by which the amendments were
6 adopted or defeated, unless a majority vote of the Senators
7 present shall decide to revert to a prior printer's number. If
8 such a motion is made to a bill on third consideration and
9 carried it shall not be in order to vote on the final passage of
10 the bill until a copy of the reverted printer's number is made
11 available to the Senators.

12 (c) Concurrence in House amendments.--

13 (1) The following apply:

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

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

25 (2) The following apply:

26 (i) Any bill or resolution containing House
27 amendments which is returned to the Senate shall be
28 referred to the Committee on Rules and Executive
29 Nominations immediately upon the reading of the
30 communication by the Reading Clerk. The consideration of

1 any bill or resolution containing House amendments may
2 include the amendment of House amendments only by the
3 Committee on Rules and Executive Nominations. The vote on
4 concurring in amendments by the House to bills or
5 resolutions amended by the House shall not be taken until
6 the bills or resolutions have been favorably reported, as
7 committed or as amended, by the Committee on Rules and
8 Executive Nominations and have been placed on the desks
9 of the Senators and particularly referred to on their
10 calendars.

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

25 Rule 14. Committees.

26 (a) Standing committees.--

27 (1) There shall be the following permanent standing
28 committees, the Chair, the Vice Chair and members thereof to
29 be appointed by the President Pro Tempore as soon as possible
30 after the election of the President Pro Tempore in sessions

1 convening in odd-numbered years or such other times as may be
2 necessary. The composition of each standing committee shall
3 reasonably reflect the caucus composition of the Senate
4 membership.

5 Aging and Youth -- 11 members

6 Agriculture and Rural Affairs -- 11 members

7 Appropriations -- 23 members

8 Banking and Insurance -- 14 members

9 Communications and Technology -- 11 members

10 Community, Economic and Recreational Development --

11 14 members

12 Consumer Protection and Professional Licensure -- 14

13 members

14 Education -- 11 members

15 Environmental Resources and Energy -- 11 members

16 Finance -- 11 members

17 Game and Fisheries -- 11 members

18 Health and Human Services -- 11 members

19 Intergovernmental Operations -- 11 members

20 Judiciary -- 14 members

21 Labor and Industry -- 11 members

22 Law and Justice -- 11 members

23 Local Government -- 11 members

24 Rules and Executive Nominations -- 17 members

25 State Government -- 11 members

26 Transportation -- 14 members

27 Urban Affairs and Housing -- 11 members

28 Veterans' Affairs and Emergency Preparedness -- 11

29 members

30 (2) Subcommittees. Each standing committee or the chair

1 thereof may appoint, from time to time, a subcommittee to
2 study or investigate a matter falling within the jurisdiction
3 of the standing committee or to consider a bill or resolution
4 referred to it. A subcommittee may hold public hearings only
5 with the prior permission of its standing committee.

6 Subcommittees shall be regulated by the Senate Rules of
7 Procedure and shall be in existence for only that time
8 necessary to complete their assignments and report to their
9 standing committees.

10 (b) Members-ex-officio.--

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

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

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

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

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

30 (1) To maintain a continuous review of the work of the

1 Commonwealth agencies concerned with their subject areas and
2 the performance of the functions of government within each
3 such subject area, and for this purpose to request reports
4 from time to time, in such form as the standing committee
5 shall designate, concerning the operation of any Commonwealth
6 agency and presenting any proposal or recommendation such
7 agency may have with regard to existing laws or proposed
8 legislation in its subject area. The standing committee is
9 authorized to require public officials and employees and
10 private individuals to appear before the standing committee
11 for the purpose of submitting information to it.

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

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

24 (e) Notice of meetings.--

25 (1) The following apply:

26 (i) The Chair of a committee or, in the absence of
27 the Chair, the Vice Chair, with the approval of the
28 Chair, shall provide each member of the committee with
29 written notice of committee meetings, which shall include
30 the date, time and location of the meeting and the number

1 of each bill, resolution or other matter which may be
2 considered. During session, notice of meetings of
3 standing committees shall be published daily. Notice
4 shall be delivered by the Chair to the Secretary-
5 Parliamentarian's office on a form prescribed by the
6 Secretary-Parliamentarian of the Senate by the end of the
7 session on the day preceding its intended publication.

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

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

30 (2) A committee meeting, or hearing for which notice has

1 not been published as provided in paragraph (1), may be held
2 during a session only if approval is granted by the Majority
3 Leader and the Minority Leader and if notice of the bills to
4 be considered is given during session.

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

9 (g) Public meetings or hearings.--

10 (1) The following apply:

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

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

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

29 (h) Quorum of committee.--A committee is actually assembled
30 only when a quorum constituting a majority of the members of

1 that committee is present in person. A majority of the quorum of
2 the whole committee shall be required to report any bill,
3 resolution or other matter to the Floor for action by the whole
4 Senate.

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

10 (j) Discharging committees.--

11 (1) No standing committee shall be discharged from
12 consideration of any bill, resolution or other matter within
13 10 legislative days of its reference to committee without the
14 unanimous consent of the Senate or after such 10-day period
15 except by majority vote of all members elected to the Senate.

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

20 Rule 15. Committee officers.

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

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

1 quorum.

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

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

16 (e) Vote of Chair, Vice Chair.--The Chair and Vice Chair
17 shall vote on all matters before such committee; Provided, That
18 the name of the Chair shall be called last.

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

24 (g) Chair's duty to report.--The Chair shall report any bill
25 to the Floor of the Senate not later than the next occurring
26 legislative day after the committee's vote to report it.

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

1 Rule 16. Committee members.

2 Members, attendance and voting shall be as follows:

3 (1) Every member of a committee shall be in attendance
4 during each of its meetings, unless excused or necessarily
5 prevented, and shall vote on each question, except that no
6 member of a committee shall be required or permitted to vote
7 on any questions immediately concerning that member's direct
8 personal, private or pecuniary interest.

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

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

19 Rule 17. Committee voting.

20 Taking the vote shall be as follows:

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

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

28 Rule 18. Motions in committees.

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

1 Rule 19. Conference Committees.

2 (a) Composition.--The President Pro Tempore shall appoint
3 three Senators to comprise a Committee of Conference. Two shall
4 be from the Majority Party and one from the Minority Party.

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

8 (c) Report of Conference Committee.--

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

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

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

30 Rule 20. Voting.

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

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

13 (1) Capitol leave.--A Senator who is performing a
14 legislative duty in the Harrisburg area, which is defined in
15 the Financial Operating Rules of the Senate as within Dauphin
16 County or otherwise within a 10 mile radius of the Capitol,
17 may, upon request during session, be granted a Capitol Leave
18 by the Senate and may be voted by the Senator's respective
19 Floor Leader. A specific reason for the Capitol Leave must be
20 given in writing by the Senator. The Capitol Leave request
21 shall be communicated to the Senator's respective Whip for
22 transmission to the respective Floor Leader prior to the
23 beginning of a roll call vote. All written Capitol Leave
24 requests shall be transmitted by the respective Floor Leaders
25 to the Secretary-Parliamentarian of the Senate for retention
26 in accordance with Rule 6(c)(3) within 24 hours of the
27 conclusion of the legislative day in which leave was
28 requested.

29 (2) Legislative leave.--A Senator who is performing a
30 legislative duty outside of the Harrisburg area may, upon

1 request during session, be granted a Legislative Leave by the
2 Senate and may be voted by the Senator's respective Floor
3 Leader. A specific reason for the Legislative Leave must be
4 given in writing by the Senator. The Legislative Leave
5 request shall be communicated to the Senator's respective
6 Whip for transmission to the respective Floor Leader prior to
7 the beginning of a roll call vote. All written Legislative
8 Leave requests shall be transmitted by the respective Floor
9 Leaders to the Secretary-Parliamentarian of the Senate for
10 retention in accordance with Rule 6(c)(3) within 24 hours of
11 the conclusion of the legislative day in which leave was
12 requested.

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

23 (4) Personal leave.--A Senator who is absent for any
24 purpose other than those set forth in these Rules may be
25 granted a personal leave. A Senator on personal leave shall
26 not be voted on any question before the Senate or on any
27 question before any committee of the Senate. A Senator
28 requesting personal leave shall submit a leave request to the
29 Senator's respective Floor Leader who shall transmit the
30 request to the Secretary-Parliamentarian of the Senate on

1 behalf of the Senator requesting leave within 24 hours of the
2 conclusion of the legislative day in which leave was
3 requested.

4 (c) Excused from voting.--

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

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

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

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

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

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

16 (h) Majority vote.--When bills or other matters which
17 require a vote of the majority of Senators elected are under
18 consideration, the concurrence of a majority of all the Senators
19 elected shall not be requisite to decide any question or
20 amendment short of the final question; and, on any question
21 short of a final one, a majority of Senators voting shall be
22 sufficient to pass the same.

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

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

29 (k) Tie vote.--In the case of a tie vote, the President of
30 the Senate may cast a vote to break the tie as long as, by doing

1 so, it does not violate any provisions of the Constitution of
2 Pennsylvania. In the event that there is a tie vote on a
3 question requiring a constitutional majority, the question
4 falls.

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

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

26 Rule 21. Correspondents.

27 (a) Admission to Senate Press Gallery.--Admission to the
28 Senate Press Gallery shall be limited to members in good
29 standing of the Pennsylvania Legislative Correspondents'
30 Association and to other members of the press as determined by

1 the President Pro Tempore. Seating shall be available on a
2 first-come basis.

3 (b) Photographs in Senate Chamber.--

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

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

11 (c) Order and decorum of press.--

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

16 (2) Persons seated in the Senate Press Gallery shall not
17 walk onto the Floor of the Senate nor approach the rostrum or
18 the Reading Clerk's desk during session or while being at
19 ease.

20 Rule 22. Radio and television.

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

24 (b) Broadcasting session.--Nothing in this Rule shall be
25 construed to prohibit any licensed radio station or television
26 station from broadcasting a session from the Senate or any part
27 thereof; Provided, That the signal originates from the Senate-
28 operated audio-visual system which transmits Senate session
29 activity to the offices in the Main Capitol and environs.

30 Rule 23. Video feed and audio feed.

1 (a) Responsibilities of the Chief Clerk of the Senate.--

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

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

10 (3) All equipment required to produce the video feed and
11 audio feed shall be operated by Senate personnel. Nothing in
12 any contract entered into by the Office of the Chief Clerk
13 regarding installation or maintenance of equipment shall
14 permit any control over the video cameras and microphones in
15 the Senate Chamber to be exercised by anyone but the
16 appropriate Senate officers and employees.

17 (b) Sessions provided free of charge.--

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

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

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

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

29 (1) The video feed and audio feed shall provide a
30 complete, unedited record of what is said on the Floor of the

Senate and shall be free from commentary.

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

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

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

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

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

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

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

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

(5) Except as provided in this paragraph, the President Pro Tempore, any other presiding officer and any Senator,

1 officer or employee of the Senate shall be prohibited from
2 editing any portion of the video feed and audio feed
3 described in this Rule. A Senator may post a video clip or
4 audio clip of Senate session on an Internet website or
5 provide a video clip or audio clip of Senate session for any
6 television broadcast as long as the video clip or audio clip
7 exclusively features the Senator who is posting or providing
8 the video clip or audio clip.

9 (f) Other recording prohibited.--

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

14 (2) Nothing in this Rule shall be construed to prohibit
15 any licensed radio station from broadcasting a session from
16 the Senate or any part thereof; Provided, That the signal
17 originates from the Senate-operated sound system which
18 transmits Senate session activity to the offices in the Main
19 Capitol and environs.

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

23 (h) Official record.--The video feed and audio feed provided
24 by the Senate shall not constitute an official record of Senate
25 actions. The official record of Senate actions shall be
26 contained in the Journals prepared by the Secretary-
27 Parliamentarian of the Senate and approved by the Senate.
28 Rule 24. Who privileged to the Floor of the Senate.

29 (a) Admission during session.--With the exception of the
30 Senate Gallery and Senate Press Gallery, no person shall be

1 admitted within the Senate Chamber during Senate sessions,
2 unless invited by the President Pro Tempore or the Majority
3 Leader or Minority Leader. During session, authorized staff with
4 access to the Senate Chamber shall be limited and shall be
5 restricted to the area immediately adjacent to the Majority
6 Leader's and Minority Leader's desks. Advice to Senators during
7 debate shall be allowed only when the Senator is using the
8 microphones at the Majority Leader's and Minority Leader's
9 desks.

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

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

18 Rule 25. Rules.

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

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

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

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

1 Executive Nominations Committee.

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

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

9 Rule 27. Quorum.

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

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

29 (c) When less than a quorum vote but are present.--When less
30 than a quorum vote upon any subject under the consideration of

1 the Senate, not less than four Senators may demand a call of the
2 Senate, when it shall be the duty of the presiding officer to
3 order the doors of the Senate to be closed and the roll of the
4 Senators to be called. If it is ascertained that a quorum is
5 present, either by answering to their names, or by their
6 presence in the Senate, the presiding officer shall again order
7 the yeas and nays; and, if any Senator present refuses to vote,
8 the name or names of such Senator shall be entered on the
9 Journal as "Present but not voting." Such refusal to vote shall
10 be deemed a contempt; and, unless purged, the presiding officer
11 shall direct the Chief Sergeant-at-Arms to bring the Senator
12 before the bar of the Senate, where the Senator shall be
13 publicly reprimanded by the presiding officer.

14 Rule 28. Executive nominations.

15 (a) Presentation and reference.--

16 (1) All nominations by the Governor or the Attorney
17 General shall be submitted to the Secretary-Parliamentarian
18 of the Senate. All nominees shall file the financial
19 statements required pursuant to 65 Pa.C.S. Ch. 11 (relating
20 to ethics standards and financial disclosure) with the
21 Secretary-Parliamentarian of the Senate. Copies of the
22 nominations and financial statements shall be furnished by
23 the Secretary-Parliamentarian of the Senate to the Majority
24 Caucus Secretary and Minority Caucus Secretary or their
25 designees.

26 (2) Nominations shall, after being read, without a
27 motion, be referred by the presiding officer to the Committee
28 on Rules and Executive Nominations. After having been
29 reported by the committee, the final question on every
30 nomination shall be: "Will the Senate advise and consent to

1 this nomination?"

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

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

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

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

1 considered.

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

13 Rule 29. Resolutions.

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

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

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

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

30 (3) Resolutions giving rise to debate, except those that

1 relate to the disposition of matters immediately before the
2 Senate, those that relate to the business of the day on which
3 they were offered, and those that relate to adjournment sine
4 die or a recess.

5 (c) Printing in Senate History.--

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

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

13 (d) Joint Resolutions.--

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

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

22 Rule 30. General access to the Senate Floor prohibited.

23 The Secretary-Parliamentarian of the Senate shall cause the
24 doors to the Senate Floor to be closed to all persons except
25 those who are entitled to access pursuant to the Rules of the
26 Senate. On days when the Senate is not in session, access to the
27 Senate Floor by any person not connected with the Senate is
28 prohibited. Other than the Senator, no person shall be permitted
29 to occupy the seat of a Senator at any time.

30 Rule 31. Veto.

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

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

14 Rule 32. Division of a question.

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

20 Rule 33. Coordination with other Senate Rules.

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

24 Rule 34. Committee on Ethics.

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

1 Leader.

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

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

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

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

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

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

- 1 (1) be submitted in writing;
- 2 (2) be sworn or affirmed by the person filing the
- 3 complaint; and
- 4 (3) detail the alleged unethical conduct in question and
- 5 specify the Rule, statute or constitutional provision
- 6 allegedly violated.

7 (d) Review of complaint.--Upon receipt of a complaint that
8 conforms with all the requirements of this Rule, the Senate
9 Committee on Ethics shall review the complaint and determine
10 whether or not a preliminary investigation is warranted within
11 30 days of receiving the complaint. For good cause, a majority
12 of the members of the committee may vote to grant an additional
13 30 days to complete the committee's review. A frivolous or de
14 minimis complaint may be dismissed by a majority of the members
15 of the committee, with prejudice. The chair shall notify the
16 complainant and the subject Senator of the disposition of a
17 dismissed complaint.

18 (e) Disposition of complaints.--If it is determined by a
19 majority of the members of the Senate Committee on Ethics that
20 an ethical conduct violation may have occurred, the Senator
21 against whom the complaint has been brought shall be notified in
22 writing and given a copy of the complaint. Within 15 days after
23 receipt of the complaint, the Senator may file a written answer
24 to the complaint with the committee. If no answer is filed, the
25 complaint shall be deemed denied by the subject Senator. The
26 lack of an answer shall not be deemed to be an admission or
27 create an inference or presumption that the complaint is true.
28 The lack of an answer shall not prohibit a majority of the
29 members of the committee from either proceeding with a formal
30 investigation or dismissing the complaint.

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

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

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

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

27 (j) Closed session.--The committee shall conduct its
28 preliminary investigations, hearings and meetings related to a
29 specific investigation or a specific Senator in closed session
30 unless the Senator subject to investigation advises the

1 committee in writing that the Senator wants such meetings or
2 hearings to be held publicly. In the event that the Senator in
3 question makes such a request, the committee shall furnish the
4 Senator with a public meeting or hearing.

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

12 (1) The Chair of the Senate Committee on Ethics may
13 continue any hearing for reasonable cause. Upon the vote of a
14 majority of the members of the committee, or upon the request
15 of the Senator subject to investigation, the Chair shall
16 issue subpoenas for the attendance and testimony of witnesses
17 and the production of documentary evidence relating to any
18 matter under formal investigation by the committee. The Chair
19 of the committee may administer oaths or affirmations,
20 examine and receive evidence, or rule on any objections
21 raised during the course of a hearing.

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

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

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

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

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

21 (1) Report.--No report regarding unethical conduct by a
22 Senator shall be made to the Senate unless a majority of the
23 members of the Senate Committee on Ethics determines that a
24 finding of unethical conduct in violation of a Senate Rule,
25 statute or constitutional provision governing the ethical
26 conduct of a Senator has occurred. No finding of unethical
27 conduct by a Senator in violation of a Senate Rule, statute or
28 constitutional provision governing the ethical conduct of a
29 Senator adopted by the Senate Committee on Ethics shall be valid
30 unless signed by at least a majority of the members of the

1 committee. Any such report may include a minority report. A
2 report adopted by the committee that contains findings of
3 unethical conduct by a Senator in violation of a Senate Rule,
4 statute or constitutional provision governing the ethical
5 conduct of a Senator shall not be filed with the Secretary-
6 Parliamentarian of the Senate or released to the public until at
7 least seven days after a copy of the report is sent by certified
8 mail to the Senator under investigation.

9 (m) Distribution of report.--After the expiration of the
10 seven-day notice requirement contained in subsection (l), the
11 Senate Committee on Ethics shall file its report with the
12 Secretary-Parliamentarian of the Senate, who shall cause a copy
13 of the report of the committee to be distributed to the members
14 of the Senate. The report of the Senate Committee on Ethics
15 shall be placed on the Senate Calendar and shall be acted upon
16 by the Senate within 10 legislative days of the adoption of a
17 temporary rule setting forth rules of procedure for the orderly
18 disposition of the report by the full Senate. A vote by a
19 majority of the members elected to the Senate shall be necessary
20 to adopt each finding set forth in the Ethics Committee Report.

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

- 26 (1) a warning;
- 27 (2) a written reprimand;
- 28 (3) restitution for damages; or
- 29 (4) any other sanction provided for pursuant to the
30 Rules of the Senate or the Constitution of Pennsylvania.

1 (o) Advisory opinion.--The Senate Committee on Ethics, at
2 the request of a Senator or officer who has an ethical question
3 or concern regarding the Senate Rules individually or in
4 conjunction with others, may issue an advisory opinion seeking
5 to clarify the ethical requirements of the Senate Rules. These
6 advisory opinions, with such deletions and changes as shall be
7 necessary to protect the identity of the persons involved or
8 seeking the advisory opinions, may be published and shall be
9 distributed to all members, officers and employees of the
10 Senate. No action regarding unethical conduct may be taken
11 against a Senator, officer or employee who has relied on a
12 written advisory opinion, whether directly addressed to that
13 person or not, which is reasonably construed as being applicable
14 to the conduct in question.

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

20 (q) Costs and expenses.--Whenever the committee shall employ
21 independent counsel to conduct a preliminary or formal
22 investigation or shall incur other expenses pursuant to its
23 duties pursuant to this Rule, payment of costs of such
24 independent counsel or other expenses incurred by the committee
25 pursuant to this Rule shall be paid by the Chief Clerk of the
26 Senate upon submission of vouchers and necessary documentation.
27 The vouchers shall be signed by both the Chair and Vice Chair of
28 the committee. Included in such allowable expense items shall be
29 travel and per diem for the members of the committee. The Chief
30 Clerk shall pay such expenses out of funds appropriated to the

1 Chief Clerk for incidental expenses.

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

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

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

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

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

30 (a) Suspension.--Whenever any officer or employee of the

1 Senate is indicted or otherwise charged before a court of record
2 with the commission of a felony or a misdemeanor, the gravamen
3 of which relates to the officer's or employee's conduct or
4 status as an officer or employee of the Commonwealth or the
5 disposition of public funds, the officer or employee shall be
6 suspended immediately without pay and benefits by the Chief
7 Clerk of the Senate. After a finding or a verdict of guilt by a
8 judge or jury, plea or admission of guilt, or plea of nolo
9 contendere, and upon imposition of sentence, the employment
10 shall be terminated.

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

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

30 Rule 37. Affiliation with nonprofit entities.

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

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

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

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

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

17 (5) Not receive grant funding directly from the
18 Commonwealth that comprises its sole source of operational
19 funding.

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

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

30 (2) Direct a Senate employee to staff or provide

1 services to the nonprofit entity as a condition of
2 employment.

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

5 (4) Commingle funds from any Senate expense account with
6 the funds of the nonprofit entity with the knowledge and
7 intent that those funds are to be used for the direct
8 reimbursement of expenses incurred by that nonprofit entity.

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

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

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

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

23 "Affiliated." Serving:

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

28 "Family member." A spouse or child.

29 "Nonprofit entity." An entity that is qualified by the
30 Internal Revenue Service as meeting the requirements of section

1 501(c) of the Internal Revenue Code of 1986 (Public Law 99-514,
2 26 U.S.C. § 501(c)).