

(Senate Resolution 3, adopted January 6, 2009)

A RESOLUTION

Providing for the Rules of the Senate for the 193rd and 194th Regular Session.

RESOLVED, That the following be adopted as the Rules of the Senate for the governing of the 193rd and 194th Regular Session.

RULES OF THE SENATE OF PENNSYLVANIA

- I [SESSIONS](#)
- II [PRESIDENT](#)
- III [DUTIES OF THE PRESIDENT](#)
- IV [PRESIDENT PRO TEMPORE](#)
- V [DUTIES OF PRESIDENT PRO TEMPORE](#)
- VI [OTHER OFFICERS](#)
- VII [DUTIES OF THE SECRETARY-PARLIAMENTARIAN](#)
- VIII [DUTIES OF THE CHIEF CLERK](#)
- IX [DUTIES OF THE SERGEANT-AT-ARMS](#)
- X [ORDER OF BUSINESS](#)
- XI [ORDER AND DECORUM](#)
- XII [MOTIONS](#)
- XIII [BILLS](#)
- XIV [AMENDMENTS](#)
- XV [COMMITTEES](#)
- XVI [COMMITTEE OFFICERS](#)
- XVII [COMMITTEE MEMBERS](#)
- XVIII [COMMITTEE VOTING](#)
- XIX [MOTIONS IN COMMITTEES](#)
- XX [CONFERENCE COMMITTEES](#)
- XXI [VOTING](#)
- XXII [CORRESPONDENTS](#)
- XXIII [RADIO AND TELEVISION](#)
- XXIV [RECORDS OF THE SENATE](#)

XXV	<u>WHO PRIVILEGED TO THE FLOOR OF THE SENATE</u>
XXVI	<u>RULES</u>
XXVII	<u>MASON'S MANUAL OF LEGISLATIVE PROCEDURE TO GOVERN SENATE</u>
XXVIII	<u>QUORUM</u>
XXIX	<u>EXECUTIVE NOMINATIONS</u>
XXX	<u>RESOLUTIONS</u>
XXXI	<u>LOUNGING IN THE SENATE PROHIBITED</u>
XXXII	<u>VETO</u>
XXXIII	<u>DIVISION OF A QUESTION</u>
XXXIV	<u>SENATE EXPENDITURES</u>
XXXV	<u>COMMITTEE ON ETHICS AND OFFICIAL CONDUCT</u>
XXXVI	<u>STATUS OF MEMBERS INDICTED OR CONVICTED OF A CRIME</u>
XXXVII	<u>STATUS OF OFFICERS OR EMPLOYEES INDICTED OR CONVICTED OF A CRIME</u>

I SESSIONS

Regular and Special

1. The General Assembly shall be a continuing body during the term for which its Representatives are elected. It shall meet at twelve o'clock noon on the first Tuesday of January each year. Special sessions shall be called by the Governor on petition of a majority of the Members elected to each House or may be called by the Governor whenever in his opinion the public interest requires. (Const. Art. 2, Sec. 4)

Weekly

2. The Senate shall convene its weekly sessions on Monday, unless the Senate shall otherwise direct.

II PRESIDENT

The Lieutenant Governor shall be President of the Senate. (Const. Art. 4, Sec. 4)

III DUTIES OF THE PRESIDENT

1. The President shall:

(a) Take the chair on every legislative day precisely at the hour to which the Senate stands adjourned, immediately call the Senators to order, and on the appearance of a quorum proceed with the Order of Business of the Senate.

(b) While in session have general direction of the Senate Chamber. It shall be the President's duty to preserve order and decorum, and, in case of disturbance or disorderly conduct in the Chamber or galleries, may cause the same to be cleared. When in the President's opinion there arises a case of extreme disturbance or emergency the President shall, with the concurrence of the President Pro Tempore, the Majority and Minority Leaders, adjourn the Senate. Such adjournment shall not extend beyond the limitation imposed by Article 2, Section 14 of the Constitution.

(c) During debate, prevent personal reflections and confine Senators, in debate, to the question.

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

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

(f) Sign resolutions, orders, writs, warrants and subpoenas issued by order of the Senate. The signature shall be attested by the Secretary-Parliamentarian of the Senate, or, if absent, by the Chief Clerk; and the fact of signing shall be entered in the Journal.

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

IV PRESIDENT PRO TEMPORE

1. (a) The Senate shall, at the beginning and close of each regular session and at such other times as may be necessary, elect one of its Members President Pro Tempore, who shall perform the duties of the Lieutenant Governor in any case of absence or disability of that officer, and whenever the office of Lieutenant Governor shall be vacant. (Const. Art. 2, Sec. 9)

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

V DUTIES OF PRESIDENT PRO TEMPORE

1. The President Pro Tempore shall:

(a) Appoint the Chairmen, Vice-Chairmen and members of the Standing Committees of the Senate as soon after the election of the President Pro Tempore as possible.

(b) Appoint members to special committees whenever authorized.

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

(d) 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. Such referral shall be at the President Pro Tempore's convenience but not later than the succeeding legislative day.

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

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

2. The President Pro Tempore may:

(a) 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 adjournment.

VI OTHER OFFICERS

1. Each House shall choose its other officers. (Const. Art. 2, Sec. 9)

VII DUTIES OF THE SECRETARY- PARLIAMENTARIAN

1. 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.

2. The Secretary-Parliamentarian of the Senate shall:

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

(b) Act in the capacity of Parliamentarian.

3. The Secretary-Parliamentarian of the Senate shall, subject to the direction of the President Pro Tempore:

(a) Direct the following functions: (1) amending bills in the Senate; (2) preparing and publishing the Senate Calendar; (3) publication of the Senate History. (4) numbering Senate bills as they are introduced and causing them to be distributed to the chairman of the committee to which they are referred and receiving a receipt for same; (5) printing of bills.

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

(c) Transmit all bills, joint resolutions, concurrent resolutions and appropriate memorials to the House of Representatives within twenty-four hours of final passage, and each shall be accompanied by a message stating the title to the measure being transmitted and requesting concurrence of the House.

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

(e) Be in charge of the Senate Library and assist Senators by making reference material available to them.

(f) Perform any duties assigned to the Senate Librarian by any statute.

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

4. The Secretary-Parliamentarian of the Senate shall post each roll call vote taken in the Senate on the Internet website maintained by the Senate immediately, but in no case later than 24 hours after the vote. Each roll call vote shall be posted in a manner which clearly identifies the bill, resolution or other subject of the vote.

5. The Secretary-Parliamentarian of the Senate shall post the Legislative Journal of the Senate on the Internet website maintained by the Senate upon approval of the Journal or within 45 calendar days of each session day, whichever is earlier. If the Secretary-Parliamentarian posts the Legislative Journal on the Internet website prior to Senate approval, the copy shall be marked "Official Reporter's Document."

VIII DUTIES OF THE CHIEF CLERK

1. At the beginning of each regular session convening in an odd-numbered year and whenever necessary, the Senate shall elect a Chief Clerk of the Senate.

2. The Chief Clerk shall be the chief fiscal officer of the Senate and shall perform those duties prescribed in section 2.4 of the act of January 10, 1968 (1967 P.L.925, No.417), referred to as the Legislative Officers and Employees Law. In addition the Chief Clerk, subject to the direction of the President Pro Tempore, shall perform those powers and duties prescribed in the Financial Operating Rules of the Senate. In the absence of the Secretary-Parliamentarian, the Chief Clerk shall, subject to the direction of the President Pro Tempore, attest all writs, warrants and subpoenas issued by order of the Senate and shall certify as to the passage of Senate Bills and the approval of executive nominations.

IX DUTIES OF THE SERGEANT-AT-ARMS

1. The Chief Sergeant-at-Arms shall:

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

(b) Have charge of and direct the work of the Assistant Sergeant-at-Arms.

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

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

(e) See that no person, except those authorized to do so, disturbs or interferes with the desks of the Senators or officers, or with books, papers, etc., thereat.

(f) Exclude from the floor all persons not entitled to the privilege of the same.

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

(h) Announce, upon recognition by the presiding officer, all important messages and committees.

(i) Escort the Senate to all Joint meetings with the mace.

(j) Escort the Senate Committee appointed to attend funeral services of members or former members of the Senate with the mace.

X ORDER OF BUSINESS

1. The Order of Business to be observed in taking up business shall be as follows:

First - Call to Order.

Second - Prayer by the Chaplain and Pledge of Allegiance.

Third - Reading of Communications.

Fourth - Receiving reports of committees.

- Fifth - Reading of bills in place at which time they shall not be subject to debate or remarks. All bills in place shall be accompanied by four copies of the same. Bills not introduced at this time will be accepted and will be referred to committee and processed not later than the next succeeding legislative day.
- Sixth - Offering of original resolutions.
- Seventh - Asking of leaves of absence. No Senator shall absent himself without leave of the Senate, first obtained, unless prevented from attendance by sickness, or other sufficient cause.
- Eighth - Consideration of the Calendar. Any bill or resolution on the Calendar not finally acted upon within ten legislative days shall be recommitted to the committee which reported the same to the Calendar; any bill or resolution on the Calendar which cannot, by its status, be recommitted shall be removed from the Calendar and laid on the table, unless the Senate shall otherwise direct.
- Ninth - Consideration of Executive Nominations.
- Tenth - Approval of Journals of preceding session days.
- Eleventh - Unfinished Business. Reports of Committees. Congratulatory and condolence resolutions.
- Twelfth - First consideration of bills reported from committee, which, at this time, shall not be subject to amendment, debate or a vote thereon.
- Thirteenth - Introduction of Petitions and Remonstrances.
- Fourteenth - Announcements by the Secretary-Parliamentarian.
- Fifteenth - Adjournment.

Special Order of Business

2. Any subject may, by a vote of a majority of the Members present, be made a special order; and when the time so fixed for its consideration arrives, the presiding officer shall lay it before the Senate.

XI ORDER AND DECORUM

Recognition

1. Any Senator who desires to speak or deliver any matter to the Senate

shall rise and respectfully address the presiding officer as "Mr. President" or "Madam President," and on being recognized, may address the Senate preferably at a microphone conveniently located on the floor, and shall confine remarks to the question under debate, avoiding personalities.

Speaking Out of Order

2. If any Senator, in speaking or otherwise shall transgress the Rules of the Senate, the President shall, or any Senator may through the chair, call that Senator to order.

Speaking More than Once

3. No Senator shall speak more than once on one question, to the prevention of any other who has not spoken and is desirous to speak; nor more than twice without leave of the Senate.

Decorum

4. While the President is putting a question, no Member shall walk out or across the hall, nor when a Senator is speaking pass between the Senator and the chair, and during the session of the Senate no Senator shall remain at the clerk's desk during the calling of the roll or the tabulating thereof.

Smoking

4.1. No smoking of cigarettes, cigars, pipes and other tobacco products shall be allowed in the Hall of the Senate.

Order and Privilege

5. No Senator speaking shall be interrupted by another except by a call to order, or by a question of privilege, or by a call for the previous question, without the consent of the Senator speaking, and no Senator shall speak on a question after it is put to a vote.

Questions of Order

6. The presiding officer shall decide all questions of order, subject to

appeal by any member. No debate shall be allowed on questions of order, unless there be an appeal. A second point of order on the same general subject, but not the same point, is not in order while an appeal is pending, but when the first appeal is decided, laid on the table or otherwise disposed of, the second point of order is in order and is subject to appeal. While an appeal is pending no other business is in order. It is within the discretion of the presiding officer as to whether to vacate the chair on an appeal.

Question When Interrupted

7. A question regularly before the Senate can be interrupted only by a call for the previous question, for amendment, postponement, to lay on the table, commitment, recess or adjournment.

XII MOTIONS

Putting a Motion

1. When a motion is made, it shall, before debate, be stated by the President. Every motion made to the Senate and entertained by the President shall be reduced to writing on the demand of any member, and shall be entered on the Journal with the name of the Senator making it. A motion may be withdrawn by the Member making it before amendment, postponement, an order to lie on the table, or decision.

Precedence of Motions

2. Motions shall take precedence in the following order:

1. Adjourn.
2. Previous question.
3. Recess.
4. Privilege.
5. Orders of the day.
6. Lay on the table.
7. Limit, close or extend limit on debate.
8. Postpone.
9. Commit or recommit.
10. Amend.
11. Main motion.

Non-Debatable Motions

3. Non-debatable motions are:

1. Adjourn or recess.
2. Previous question.
3. Lay on table.
4. Orders of the day.
5. Limit, close or extend limit on debate.

Motions Which Permit Limited Debate

4. On the motion to postpone, the question of postponement is open to debate, but the main question is not.

5. The motion to commit or recommit to committee is debatable as to the propriety of the reference, but the main question is not open to debate.

6. The motion to amend is debatable on the amendments only and does not open the main question to debate.

Seconding Motions

7. All motions except for the previous questions (which shall be moved by not less than four Senators) may be made without a second.

Adjournment and Convening

8. (a) A motion to adjourn shall always be in order, excepting when on the call for the previous question, the main question shall have been ordered to be now put, or when a Member has the floor and shall be decided without debate.

(b) A motion to adjourn, adopted and not having a reconvening time, the Senate will meet the following day at 10:00 a.m.

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

(d) The Senate shall not adjourn later than 11:00 p.m. each session day

unless the Senate adopts a motion that sets forth the need to adjourn later than 11:00 p.m.

Motion for Previous Question

9. Pending the consideration of any question before the Senate, a Senator may call for the previous question, and if seconded by four Senators, the President shall submit the question: "Shall the main question now be put?" If a majority vote is in favor of it, the main question shall be ordered, the effect of which shall cut off all further amendments and debate, and bring the Senate to a direct vote first upon the pending amendments and motions, if there be any, then upon the main proposition. The previous question may be ordered on any pending amendment or motion before the Senate.

Motion to Lay on Table

10. The motion to lay on the table is not debatable and the effect of the adoption of this motion is to place on the table the pending question and everything adhering to it. Questions laid on the table remain there for the entire session unless taken up before the session closes.

Motion to Take from Table

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

Reconsideration

12. When a question has once been made and carried in the affirmative or negative, it shall be in order to move the reconsideration thereof. When the Senate has been equally divided on a question, or a bill shall have failed to pass, by reason of not having received the number of votes required by the Constitution, it shall be in order to move the reconsideration thereof.

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

Provided, further, that no motion for reconsideration shall be in order unless made on the same day on which the vote was taken, or within the next five days of actual session of the Senate thereafter.

A motion to reconsider the same question a third time is not in order. Identical bills cannot be considered at the same session.

When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the Senate and been communicated to the House of Representatives or to the Governor, the motion to reconsider shall not be in order until a resolution has been passed to request the House or Governor to return the same and the same shall have been returned to the possession of the Senate.

XIII BILLS

Passage of Bills

1. (a) No law shall be passed except by bill, and no bill shall be so altered or amended, on its passage through either House, as to change its original purpose. (Const. Art. 3, Sec. 1)

(b) No alteration or amendment shall be considered which is not appropriate and closely allied to the original purpose of the bill. If a bill has been amended after being reported by the Appropriations Committee and if the amendment may require the expenditure of Commonwealth funds or funds of a political subdivision or cause a loss of revenue to the Commonwealth or a political subdivision, the bill may not be voted on final passage until a fiscal note reflecting the impact of the amendment has been attached.

Reference and Printing

2. No bill shall be considered unless referred to a committee, printed for the use of the members and returned therefrom. (Const. Art. 3, Sec. 2)

Form of Bills

3. No bill shall be passed containing more than one subject, which shall be clearly expressed in its title, except a general appropriation bill or a bill codifying or compiling the law or a part thereof. (Const. Art. 3, Sec.

3)

Consideration of Bills

4. Every bill shall be considered on three different days in each House. All amendments made thereto shall be printed for the use of the members before the final vote is taken on the bill and before the final vote is taken, upon written request addressed to the presiding officer of either House by at least twenty-five per cent of the Members elected to that House, any bill shall be read at length in that House. No bill shall become a law, unless on its final passage the vote is taken by yeas and nays, the names of the persons voting for and against it are entered on the Journal, and a majority of the Members elected to each House is recorded thereon as voting in its favor. (Const. Art. 3, Sec. 4)

Local and Special Bills

5. No local or special bill shall be passed unless notice of the intention to apply therefor shall have been published in the locality where the matter or the thing to be effected may be situated, which notice shall be at least thirty days prior to the introduction into the General Assembly of such bill and in the manner to be provided by law; the evidence of such notice having been published, shall be exhibited in the General Assembly, before such act shall be passed. (Const. Art. 3, Sec. 7)

Revenue Bills

6. All bills for raising revenue shall originate in the House of Representatives, but the Senate may propose amendments as in other bills. (Const. Art. 3, Sec. 10)

Appropriation Bills

7. a) The general appropriation bill shall embrace nothing but appropriations for the executive, legislative and judicial departments of the Commonwealth, for the public debt and for public schools. All other appropriations shall be made by separate bills, each embracing but one subject. (Const. Art. 3, Sec. 11)

(b) No appropriation shall be made for charitable, educational or benevolent purposes to any person or community nor to any denomination and sectarian institution, corporation or association:

Provided, That appropriations may be made for pensions or gratuities for military service and to blind persons twenty-one years of age and upwards and for assistance to mothers having dependent children and to aged persons without adequate means of support and in the form of scholarship grants or loans for higher educational purposes to residents of the Commonwealth enrolled in institutions of higher learning except that no scholarship, grants or loans for higher educational purposes shall be given to persons enrolled in a theological seminary or school of theology. (Const. Art. 3, Sec. 29)

Charitable and Educational Appropriations

8. No appropriation shall be made to any charitable or educational institution not under the absolute control of the Commonwealth, other than normal schools established by law for the professional training of teachers for the public schools of the State, except by a vote of two-thirds of all the members elected to each House. (Const. Art. 3, Sec. 30)

Land Transfer Legislation

8.1. No bills granting or conveying Commonwealth land or taking title thereto shall be reported by any committee of the Senate unless there has been filed with the Secretary-Parliamentarian and the Chairman of the Reporting Committee, a memorandum from the Department of General Services indicating the use to which the property is presently employed, the full consideration for the transfer, if any, a departmental appraisal of the property, including its valuation and a list of recorded liens and encumbrances, if any, the use to which the property will be employed upon its transfer, the date by which the land is needed for its new use, and the senatorial district or districts in which the land is located. The memorandum shall be filed within 60 days after a request is made for same and contain a statement by a responsible person in the Department of General Services indicating whether or not the departments involved favor the transfer which is the subject of the bill under consideration.

Consideration - Second Regular Session

9. All bills, joint resolutions, resolutions, concurrent resolutions, or other matters pending before the Senate upon the adjournment sine die of a first regular session convening in an odd-numbered year shall maintain their status and be pending before a second regular session convening in an even-numbered year but not beyond adjournment sine die or

November 30th of such year, whichever first occurs.

Introduction

10. All bills shall be introduced in quintuplicate. A sponsor may be added after a bill has been printed but the addition of sponsors shall not require that the bill be reprinted. All bills shall be examined by the Legislative Reference Bureau for correctness as to form and shall be imprinted with the stamp of the Bureau before being accepted by the President for introduction.

Character of Bills in Place - Et cetera

11. No Member shall read in place, nor shall any committee report any bill for the action of the Senate, proposing to legislate upon any of the subjects prohibited by Article III, section 32 of the Constitution; nor shall any bill be read in place or reported from a committee, reviving, amending, extending or conferring the provisions of any law, by reference to its title only, but so much of the law as is revived, amended, extended or conferred shall be reenacted and published at length by such bill.

Reference to Committee by President Pro Tempore

12. Every bill and joint resolution which may be introduced by a Senator or which may be received from the House of Representatives, shall, after being presented to the Chair, be referred by the President Pro Tempore to the appropriate committee, but not later than the succeeding legislative day.

Printing of Amended Bills

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

Any bill or resolution re-reported from committee as amended shall not be finally considered until it has appeared on the Senate Calendar for two legislative days. Such bills shall appear under a separate heading on the Senate Calendar.

First Consideration

14. Bills on first consideration shall not be subject to amendment, debate or a vote thereon.

Second Consideration

15. Bills on second consideration shall be subject to amendment, debate and a vote thereon.

Third Consideration and Final Passage

16. (a) Bills on third consideration may be amended and are subject to debate. Bills on final passage may not be amended but are open to debate. The vote on final passage shall be taken by a roll call and the names of the Senators voting for and against recorded and entered in the Journal. No bill shall be declared passed unless a majority of all Senators elected to the Senate shall be recorded as voting for the same.

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

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

17. (a) It shall not be in order, by suspension of this Rule or otherwise, to consider a bill on final passage unless it is printed, together with amendments, if any, and placed on the desks of the Senators.

(b) No bill amended on third consideration may be voted on final passage until at least six hours have elapsed from the time of adoption of the amendment.

Appropriation Bills for Charitable Purposes

18. No bills appropriating money for charitable or benevolent purposes shall be considered finally until after the general appropriation bill shall have been reported from committee.

Pre-Filing

19. Senators may, on days when the Senate is not in session or in the period between sine die adjournment of a First Regular Session and the convening of a Second Regular Session, introduce bills, joint resolutions and resolutions by filing the same with the Secretary-Parliamentarian of the Senate. The Secretary-Parliamentarian of the Senate shall notify the President Pro Tempore of the fact of such filing. The President Pro Tempore shall refer the bills, joint resolutions and resolutions to the appropriate committees as soon as possible but not later than two weeks from the time of notification of filing. Upon referral, the Secretary-Parliamentarian of the Senate shall deliver said bills, joint resolutions and resolutions to the committees to which they have been referred. The Secretary-Parliamentarian of the Senate shall have the bills, joint resolutions and resolutions printed for distribution and notification of such filing shall be given to the Members and news media in the usual manner.

20. Any Member of the Senate or Member-elect of the Senate may file bills with the Secretary-Parliamentarian of the Senate commencing on December 15 of each even-numbered year. The Secretary-Parliamentarian of the Senate shall number the bills in the order received; print and distribute such measures; and, in the usual manner, give notification of such filing to the Members and news media.

21. Upon the naming of the committees of the Senate at the convening of a First Regular Session, the President Pro Tempore shall refer all pre-filed measures to the proper committee, announcing the number, sponsors and committee referred to the Senate.

XIV AMENDMENTS

When in Order

1. Amendments shall be in order when a bill is reported or re-reported from committee, on second consideration and on third consideration. No amendments shall be received by the presiding officer or considered by the Senate which destroys the general sense of the original bill, or is not appropriate and closely allied to the original purpose of the bill. Any Member, upon request, must be furnished a copy of a proposed amendment and be given a reasonable opportunity to consider same

before being required to vote thereon.

2. Amendments offered on the floor shall be read by the clerk and stated by the presiding officer to the Senate before being acted upon. Amendments shall be presented in ten typewritten copies, the original of which shall be signed by the Sponsor. No amendment may be considered by the Senate until the Secretary-Parliamentarian of the Senate has posted the amendment on the Internet website maintained by the Senate.

3. Amendments to bills or other main motions or questions before the Senate may be tabled. When an amendment proposed to any bill or other main motion or question before the Senate is laid on the table, it shall not carry with it or prejudice the bill, main motion or question. A motion to remove an amendment from the table shall only be in order if the bill or other main motion or question remains before the Senate for decision. The motion to remove an amendment from the table is not debatable and shall have the same precedence as the motion to amend.

Amendments Reconsidering-Revert to Prior Print

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

Concurrence in House Amendments

5. (a) No amendments to bills by the House shall be concurred in by the Senate, except by the vote of a majority of the Members elected to the Senate, taken by yeas and nays. (Const. Art. 3, Sec. 5)

(b) If a bill on concurrence contains an amendment which may require the expenditure of Commonwealth funds or funds of a political subdivision or cause a loss of revenue to the Commonwealth or a political subdivision, the bill may not be voted finally until a fiscal note reflecting the impact of the amendment has been attached.

(c) No bill on concurrence may be voted finally until at least six hours

have elapsed from the time of adoption of the amendment.

6. (a) Any bill or resolution containing House amendments which is returned to the Senate shall be referred to the Committee on Rules and Executive Nominations immediately upon the reading of the message by the clerk. The consideration of any bill or resolution containing House amendments may include the amendment of House amendments by the Committee on Rules and Executive Nominations. The vote on concurring in amendments by the House to bills or resolutions amended by the House shall not be taken until said bills or resolutions have been favorably reported, as committed or as amended, by the Committee on Rules and Executive Nominations and have been placed on the desks of the Senators and particularly referred to on their calendars.

(b) Unless the Majority Leader and the Minority Leader shall agree otherwise, the offering of an amendment to House amendments in the Committee on Rules and Executive Nominations shall not be in order until at least one hour after the filing of a copy of the amendment as prepared by the Legislative Reference Bureau with the office of the Secretary-Parliamentarian. Upon the filing of such an amendment, the Secretary-Parliamentarian shall immediately time stamp the amendment and forthwith forward a time-stamped copy of the amendment to the offices of the Majority Leader and the Minority Leader. Except as provided in this subsection, it shall not be in order to suspend or otherwise waive the requirements of this subsection.

XV COMMITTEES

1. There shall be the following permanent Standing committees, the Chairmen, the Vice-Chairmen and members thereof to be appointed by the President Pro Tempore as soon as possible after his election in sessions convening in odd-numbered years or such other times as may be necessary. The composition of each Standing Committee shall reasonably reflect the party composition of the Senate membership.

Aging and Youth -- 10 members

Agriculture and Rural Affairs -- 10 members

Appropriations -- 23 members

Banking and Insurance -- 13 members

Communications and Technology -- 10 members

Community, Economic and Recreational Development -- 13 members

Consumer Protection and Professional Licensure -- 13 members
Education -- 10 members
Environmental Resources and Energy -- 10 members
Finance -- 10 members
Game and Fisheries -- 10 members
Judiciary -- 13 members
Labor and Industry -- 10 members
Law and Justice -- 10 members
Local Government -- 10 members
Public Health and Welfare -- 10 members
Rules and Executive Nominations -- 16 members
State Government -- 10 members
Transportation -- 13 members
Urban Affairs and Housing -- 10 members
Veterans' Affairs and Emergency Preparedness -- 10 members

Members-ex-officio

2. (a) The President Pro Tempore shall be an ex-officio voting Member of all standing committees and subcommittees and not included in the number of committee members herein provided except that the President Pro Tempore shall not be an ex-officio Member of the Committee on Ethics and Official Conduct.

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

Committees' Function Between Sessions

3. Permanent standing committees shall exist and function both during and between sessions. Such power shall not extend beyond November 30th of any even-numbered year.

Subcommittees

4. Each standing committee or the chairman thereof may appoint, from time to time, a subcommittee to study or investigate a matter falling within the jurisdiction of the standing committee or to consider a bill or resolution referred to it. Subcommittees shall be regulated by the Senate Rules of Procedure and shall be in existence for only that time necessary to complete their assignments and report to their standing committees.

Their reports, whether favorable or unfavorable, shall be considered by the standing committee.

Powers and Responsibilities

5. Permanent standing committees are authorized:

(a) To maintain a continuous review of the work of the Commonwealth agencies concerned with their subject areas and the performance of the functions of government within each such subject area, and for this purpose to request reports from time to time, in such form as the standing committee or select subcommittee shall designate, concerning the operation of any Commonwealth agency and presenting any proposal or recommendation such agency may have with regard to existing laws or proposed legislation in its subject area. The standing committee or subcommittee is authorized to require public officials and employees and private individuals to appear before the standing committee or subcommittee for the purpose of submitting information to it.

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

(c) In order to carry out its duties, each standing committee or subcommittee may issue subpoenas duces tecum and other necessary process to compel the attendance of witnesses and the production of any books, letters or other documentary evidence desired by such committee. The chairman may administer oaths and affirmations in the manner prescribed by law to witnesses who shall appear before such committee for the purpose of testifying in any matter about which such committee may desire evidence.

Notice of Meetings

6. (a) The chairman of a committee or subcommittee, or, in the absence of the chairman, the vice-chairman with the approval of the chairman, shall provide each Member of the committee with written notice of committee meetings, which shall include the date, time and place of the meeting and the number of each bill which may be considered. During session notice of meetings of standing committees may be published in

the daily Calendar. If notice of publication in the daily Calendar of standing committee or subcommittee meetings has been ordered by a committee chairman such information shall be delivered to the Secretary-Parliamentarian's office in writing by the end of the session on the day preceding its intended publication.

(b) Whenever the chairman of any standing committee shall refuse to call a regular meeting, then a majority plus one of its members of the standing committee may vote to call a meeting by giving two days' written notice to the Secretary-Parliamentarian of the Senate, setting the time and place for such meeting. Such notice shall be read in the Senate and the same posted by the Secretary-Parliamentarian in the Senate. Thereafter, the meeting shall be held at the time and place specified in the notice. In addition, all provisions of 65 Pa.C.S. Ch. 7 (relating to open meetings) relative to notice of meetings shall be complied with.

(c) When the majority plus one of the members of a standing committee believe that a certain bill or resolution in the possession of the standing committee should be considered and acted upon by such committee, they may request the chairman to include the same as part of the business of a committee meeting. Upon failure of the chairman to comply with such request, the membership may require that such bill be considered by written motion made and approved by a majority plus one vote of the entire membership to which such committee is entitled.

7. A committee meeting, or hearing for which notice has not been published in the daily Calendar of standing committee or subcommittee meetings as provided in section 6(a), may be held during a session only if approval is granted by the Majority and Minority Leaders and if notice of the bills to be considered is given during session.

8. Before any standing committee or subcommittee of the Senate holds a meeting while the Legislature is in recess, a notice of said meeting, stating date, time and place, shall be filed with the Secretary of the Senate at least seven days prior thereto.

Bills Recommended

9. Any bill or resolution reported by any standing committee without prior notice having been given as required by these Rules shall be recommitted to the committee reporting the same.

Public Meetings or Hearings

10. (a) The chairman of a standing committee may hold hearings open to the public and in doing so shall make public announcement of the date, the place, and the subject matter of the hearing in ample time to permit participation by the public. All subcommittees may hold public hearings with the permission of the parent standing committee.

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

11. All permanent standing committees, and with permission of the parent committee, subcommittees, may have their hearings reported and transcribed if payment for such service is being made from committee funds. The chairman shall contact the Secretary-Parliamentarian to make arrangements for such reporting and transcribing. However, if payment is expected to be made from a source other than committee funds, approval must be first obtained from the President Pro Tempore. The President Pro Tempore shall notify the Secretary-Parliamentarian of the Senate if permission is granted.

Subcommittee Reports

12. It shall be the duty of a subcommittee to report all measures referred to it directly to the parent standing committee. The subcommittee shall report all measures either (a) favorably, (b) favorably with amendments, or (c) unfavorably.

13. Such reports shall also reflect (a) the time and place of the meeting at which the action was taken, (b) the name and address of each person (if any) addressing the committee relative to each measure and the interest represented (proponent or opponent), and (c) the vote of each member of the subcommittee on the motion to report each measure.

14. A subcommittee may not report a bill directly to the Senate but must report it back to the parent committee, which in turn shall be authorized to report to the Senate if it is so ordered.

15. When a bill with a favorable report by a subcommittee is considered by the parent committee, no additional testimony of witnesses shall be permitted except upon vote of a majority of members of the parent committee as provided by these Rules.

Quorum of Committee

16. A committee or subcommittee is actually assembled only when a quorum constituting a majority of the members of that committee is present in person. A majority of the quorum of the whole committee shall be required to report any measure to the floor for action by the whole Senate. Any measure reported in violation of this Rule shall be immediately recommitted by the President when it is called to the President's attention by a Senator.

Discharging Committees

17. (a) No committee shall be discharged from consideration of any measure within ten legislative days of its reference without unanimous consent of the Senate or after such ten-day period except by majority vote of all Members elected to the Senate.

(b) Such discharge shall be by resolution which shall lie over one day for consideration upon introduction and which shall be considered under the Order of Business of Resolutions.

XVI COMMITTEE OFFICERS

Chairman - Ex-officio

1. The Chairman of each standing committee shall be ex-officio a member of each subcommittee which is part of the standing committee with the right to attend meetings of such subcommittees and vote on any matter before such subcommittees.

Calling Committee to Order

2. The Chairman, or, if absent, the Vice-Chairman shall call the committee to order at the hour provided by these Rules. Upon the appearance of a quorum, the committee shall proceed with the order of business. Any member of the committee may question the existence of a quorum.

The Chairman Control of the Committee Room

3. The Chairman or, if the Chairman is absent, the Vice-Chairman shall preserve order and decorum and shall have general control of the committee room. In case of a disturbance or disorderly conduct in the committee room, the Chairman or, if the Chairman is absent, the Vice-Chairman may cause the same to be cleared. The use of any cellular telephones or other disruptive devices within any Senate committee room by other than members of the Senate or their staffs is strictly prohibited.

Chairman's Authority to Sign Notices, etc. Decide Questions of Order

4. The Chairman shall sign all notices, vouchers, subpoenas or reports required or permitted by these Rules. The Chairman shall decide all questions of order relative to parliamentary procedure, subject to an appeal by any Senator to the committee.

Vote of Chairman, Vice-Chairman

5. The Chairman and Vice-Chairman shall vote on all matters before such committee provided that the name of the Chairman shall be called last.

Temporary Designation of Alternate to Chairman

6. The Chairman may name any member of the committee to perform the duties of the Chair provided that such substitution shall not extend beyond such meeting. In the Chairman's absence and omission to make such designation, the Vice-Chairman shall act during that absence.

Performance of Duties by Vice-Chairman

7. Upon the death of the Chairman, the Vice-Chairman shall perform the duties of the office until and unless the President Pro Tempore shall appoint a successor. Upon and during disability, or incapacity of the Chairman, the Vice-Chairman shall perform the Chairman's duties.

Chairman's Duty to Report

8. The Chairman shall report any bill to the floor of the Senate within four legislative days of the committee's vote to report it.

XVII COMMITTEE MEMBERS

Members, Attendance, Voting

- 1.** Every member of a committee shall be in attendance during each of its meetings, unless excused or necessarily prevented and shall vote on each question, except that no member of a committee shall be required or permitted to vote on any questions immediately concerning that member's private rights as distinct from the public interest.
- 2.** The Chairman may excuse any Senator for just cause from attendance during the meetings of the committee for any stated period, and such excused absence shall be noted on the records of such committee.
- 3.** Any member of a committee who is otherwise engaged in legislative duties may have the member's vote recorded on measures pending before the committee by communicating in writing to the chairman: (a) the nature of the legislative duties that prohibits the member's attendance and; (b) the manner in which the member desires to be voted on such measures pending before the committee.

XVIII COMMITTEE VOTING

Taking the Vote

- 1.** The Chairman shall declare all votes and said votes and the results thereof shall be open to the public. In all cases where the committee shall be equally divided, the question shall be lost.
- 2.** A vote in a standing committee to report a bill or resolution or a vote regarding an executive nomination shall be posted on the Internet website maintained by the Senate within 24 hours.

XIX MOTIONS IN COMMITTEES

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

XX CONFERENCE COMMITTEES

- 1.** The President Pro Tempore shall appoint three Senators to comprise a Committee of Conference. Two shall be from the majority party and one from the minority party.
- 2.** The deliberations of the committee shall be confined to the subject of difference between the two Houses, unless both Houses shall direct a free conference, and if their authority has been exceeded it shall be the duty of the presiding officer to call it to the attention of the Senate, which shall then decide the question by a majority vote of those present.

Report of Conference Committee

3. (a) The report of a Committee of Conference shall be prepared in triplicate by the Legislative Reference Bureau and shall be signed by the members or a majority of the members of the committee. Every report of a committee of conference shall be printed together with the bill as amended by the committee, placed on the desks of the Senators and particularly referred to on their calendars before action shall be taken on such report. No report of a Committee of Conference may be adopted by the Senate until at least six hours have elapsed from the time of adoption of the report by the Committee of Conference.

(b) A report of a Committee of Conference which requires the expenditure of Commonwealth funds or funds of a political subdivision or causes a loss of revenue to the Commonwealth or a political subdivision shall have a fiscal note attached before the report is voted finally.

Report of Conference Committee - Adoption

4. Reports of committees of conference shall be adopted only by the vote of a majority of the Members elected to the Senate, taken by yeas and nays. (Const. Art. 3, Sec. 5)

XXI VOTING

Must be Present and Vote

1. (a) Except as may be otherwise provided by this Rule, no Senator

shall be permitted to vote on any question unless the Senator is present in the Senate Chamber at the time the roll is being called, or prior to the announcement of the vote.

Harrisburg Assignment

(b) A Senator who is performing a legislative assignment in the Harrisburg area (as defined in the Financial Operating Rules of the Senate) on behalf of the body of the Senate and to which the Senator was duly appointed by the Senate or the appropriate officer thereof may be voted by the Senator's respective floor leader. A specific reason must be given by the Senator and it must be announced by the respective floor leader.

Legislative Leave

(c) A Senator who is performing a legislative assignment outside of the Harrisburg area on behalf of the body of the Senate and to which the Senator was duly appointed by the Senate or the appropriate officer thereof may be voted by the Senator's respective floor leader. A specific reason for the legislative leave must be given in writing by the Senator and it must be announced by the respective floor leader.

Personal or Private Interest

2. Senators who have a personal or private interest in any measure or bill proposed or pending before the Senate shall disclose the fact to the Senate, and shall not vote thereon.

Senators Must be Present

3. Every Senator shall be present within the Senate Chamber during the sessions of the Senate, unless a Senator is on duty with a reserve component of the armed forces of the United States or the Pennsylvania National Guard or Air National Guard or is duly excused or necessarily prevented, and shall be recorded as voting on each question stated from the Chair which requires a roll call vote unless the Senator is on duty with a reserve component of the armed forces of the United States or the Pennsylvania National Guard or Air National Guard or is duly excused by the Senate. The refusal of any Senator to vote as provided by this section shall be deemed a contempt unless the Senator be excused by the Senate or unless the Senator has a direct personal or pecuniary interest

in connection with the pending question.

Excused from Voting

4. A Senator desiring to be excused from voting shall, when the Senator's name is called, make a brief statement of the reasons for making such request, and the question on excusing the Senator shall then be decided by the Chair without debate.

Changing Vote

5. No Senator may vote or change a vote after the result is announced by the Chair. Before the announcement of the final result, however, a Senator may change a vote, or may vote, if previously absent from the Chamber. Should a Senator be erroneously recorded on any vote, the Senator may at any time, with the permission of the Senate, make a statement to that effect which shall be entered in the Journal. Similarly, should the Senator be absent when a vote is taken on any question, the Senator may later, with the permission of the Senate, make a statement for entry upon the Journal, indicating how the Senator would have voted had the Senator been present when the roll was taken and the reasons therefor shall be submitted in writing or delivered orally not to exceed five minutes.

Persons Allowed at Desk During Roll Call

6. No Senator or other person, except the majority or minority leader or other persons designated by them, shall be permitted at the Reading Clerk's desk during the recording, counting or verification of a roll call vote.

Two-Thirds Vote

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

Majority Vote Defined

8. A majority of the Senators elected shall mean a majority of the

Senators elected, living, sworn and seated.

Majority Vote

9. When bills or other matters which require a vote of the majority of Senators elected are under consideration, the concurrence of a majority of all the Senators elected shall not be requisite to decide any question or amendment short of the final question; and, on any question short of a final one, a majority of Senators voting shall be sufficient to pass the same.

Announcement of Vote

10. Upon completion of a roll call vote or a voice vote the result shall be announced immediately unless the majority or minority leader requests a delay.

Explanation of Vote

11. Any Senator may, with the consent of the Senate, make an explanation of a vote on any question and have the explanation printed in the Journal.

Tie Vote

12. In the case of a tie vote, the President of the Senate may cast a vote to break such tie so long as by doing so it does not violate any provisions of the Constitution of Pennsylvania. In the event there is a tie vote on a question requiring a constitutional majority, the question falls.

Verifying Vote

13. Any Senator may demand a verification of a vote immediately upon the completion of a roll call or after the announcement of vote by the presiding officer. In verifying a vote the Clerk shall first read the affirmative roll at which time any additions or corrections shall be made. Upon the completion and verification of the affirmative roll call, the Clerk shall proceed with the reading of the negative roll at which time any additions or corrections shall be made. Upon the completion and verification of the negative roll call, the roll call shall be declared verified. It shall not be in order for a Senator to change a vote after the verified roll call is announced. A demand for a verification shall not be

in order when all Senators vote one way. The demand for a verification of a vote is not debatable.

Voice Vote

14. Unless otherwise ordered or demanded, a voice vote may be taken. Any Senator who doubts the accuracy of a voice vote may demand a roll call vote. Such request must be made immediately upon the announcement of the vote by the presiding officer and shall not be in order after other business has intervened. The demand for a verification of a voice vote shall not be in order.

XXII CORRESPONDENTS

Admission to Press Gallery - Committee on Correspondents

1. Admission to and administration of the Press Galleries of the Senate and House of Representatives shall be vested in a Committee on Correspondents consisting of the President Pro Tempore of the Senate, the Speaker of the House of Representatives, or their designees; the Supervisor of the Capitol Newsroom; the President of the Pennsylvania Legislative Correspondents' Association, and the Executive Director of the Pennsylvania Association of Broadcasters, or their designees.

Application to Press Gallery

2. Persons desiring admission to the press sections of the Senate and House of Representatives shall make application to the Chairman of the Committee on Correspondents. Such applications shall state the newspaper, press association or licensed radio or television station, its location, times of publication or hours of broadcasting, and be signed by the applicant.

Committee to Verify Statement

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

Exclusive Use of Gallery

4. The Gallery on the Senate floor assigned to newspaper correspondents or recognized press association correspondents or representatives of licensed radio and television stations, systems or news-gathering agencies shall be for their exclusive use and persons not holding correspondents cards shall not be entitled to admission thereto. Representatives and employees of State departments, boards, commissions and agencies, visitors and members of the families of correspondents entitled to admission to the press gallery shall, at no time, be permitted to occupy seats or be entitled to the privilege of the press gallery. Employees of the Senate may be permitted to occupy seats and be entitled to the privilege of the press section of the Senate Gallery when not in use by accredited press representatives.

Photographs in Senate Chamber - Hearings

5. Accredited media photographers may be authorized by the President Pro Tempore to take still photographs in the Senate, and by the Speaker of the House to take still photographs in the House of Representatives. Applications to take still photographs at public hearings of committees must be approved by the Committee Chairman or Co-chairman conducting such hearing.

Photographs - Notice to be Given

6. No still photographs shall be taken in the Senate or House of Representatives during sessions, being at ease or recessed, without prior notice to the Senators in the Senate or the Representatives in the House of Representatives. When possible, such notice shall be given at the beginning of the session, at ease or recess, during which the still photographs are scheduled to be taken.

Correspondents - Number Limited

7. No more than one representative of each newspaper, press association or licensed radio or television station, system or news-gathering agency shall be admitted to the press gallery at one time. Members of the Pennsylvania Legislative Correspondents' Association and representatives of licensed radio and television stations, systems or news-gathering agencies, assigned to the Senate and/or House of Representatives on a daily basis shall have permanent assigned seating in the press gallery with identification plates. Visiting representatives of daily newspapers, press associations, Sunday newspapers as well as

radio and television stations, systems or news-gathering agencies shall coordinate seating accommodations with the supervisor of the Capitol Newsroom.

Order and Decorum of Press

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

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

10. Persons assigned to the press gallery on a permanent or temporary basis wishing to confer with a Senator or Representative shall disclose this fact by having a message delivered by a Page to the Senator or Representative. Such conversation shall be conducted off the floor of the Senate or House of Representatives.

XXIII RADIO AND TELEVISION

1. Filming, videotaping, televising or broadcasting of Senate sessions shall be permitted as provided in policy directives developed and recommended by the Committee on Management Operations. The policy directives recommended by the Committee on Management Operations shall be submitted to the Senate and shall become effective upon the approval of a resolution by the Senate by the vote of a majority of the Senators elected. Filming, videotaping, televising or broadcasting of Senate sessions shall be prohibited prior to the adoption of the policy directives.

2. Nothing in this Rule shall be construed to prohibit any licensed radio station from broadcasting a session from the Senate or any part thereof provided that the signal originates from the Senate-operated sound system which transmits Senate session activity to the offices in the Main Capitol and environs.

XXIV RECORDS OF THE SENATE

1. The records of the Senate may be inspected by the Members, but no paper shall be withdrawn therefrom without the consent of the Senate.

XXV WHO PRIVILEGED TO THE FLOOR OF THE SENATE

1. No person shall be admitted within the Senate Chamber (galleries and press boxes excepted) during Senate sessions, unless invited by an officer or the majority or minority leaders. Such authorized staff shall be restricted to the area immediate to the majority and minority leaders' desks and shall be allowed to advise Members during debate only when such Member is using the microphones at the leaders' desks.

Rear Entrance Closed During Session

2. No person or persons shall, during a session, be permitted to enter through the rear door of the Senate Chamber nor be present in the rooms immediately to the rear of the Senate Chamber except Senators, officers and employees expressly authorized.

Telephone Facilities

3. No person or persons other than Senators or their staff shall, at any time, be permitted to use the telephone facilities in or adjacent to the Senate Chamber.

XXVI RULES

1. These Rules shall be in full force and effect until altered, changed, amended or repealed as provided herein.

Dispensing with Rules

2. The consent of a majority of the Senators elected shall be necessary to suspend any Rule.

Altering, Changing or Amending - Vote

3. The consent of a majority of the Senators elected shall be necessary to alter, change or amend these Rules.

Alterations, Changing or Amending - Resolution

4. All alterations, changes or amendments to Senate Rules shall be by resolution which shall not be considered unless first referred to and reported from the Rules Committee.

XXVII MASON'S MANUAL OF LEGISLATIVE PROCEDURE TO GOVERN SENATE

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

XXVIII QUORUM

Majority Constitutes a Quorum

1. A majority of Senators elected shall constitute a quorum, but a smaller number may adjourn from day to day, and compel the attendance of absent members. (Const. Art. 2, Sec. 10)

When Less than a Quorum is Present

2. When, upon a call, which may be demanded by not less than four Senators, it is found that less than a quorum is present, it shall be the duty of the President to order the doors of the Senate to be closed, and to direct the clerk to call the roll of the Senate and note the absentees after which the names of the absentees shall be again called, and those for whose absence no excuse, or an insufficient excuse is made, may by order of a majority of the Senators present be sent for and taken into custody by the Sergeant-at-Arms, or assistant sergeants-at-arms appointed for the purpose, and brought before the bar of the Senate, where, unless excused by a majority of the Senators present, they shall be reprovved by the President for neglect of duty.

When Less than a Quorum Vote But Present

3. When less than a quorum vote upon any subject under the consideration of the Senate, not less than four Senators may demand a call of the Senate, when it shall be the duty of the President forthwith to

order the doors of the Senate to be closed and the roll of the Senators to be called. If it is ascertained that a quorum is present, either by answering to their names, or by their presence in the Senate, the President shall again order the yeas and nays; and, if any Senator or Senators present refuse to vote, the name or names of such Senator or Senators shall be entered on the Journal as "Present but not voting." Such refusal to vote shall be deemed a contempt; and, unless purged, the President shall direct the Sergeant-at-Arms to bring such Senator or Senators before the bar of the Senate, where the Senator or Senators shall be publicly reprimanded by the President.

XXIX EXECUTIVE NOMINATIONS

Presentation and Reference

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

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

3. The Committee on Rules and Executive Nominations shall refer nominations to appropriate standing committees of the Senate, which shall hold public hearings for all nominees for offices which have Statewide jurisdiction and to which salaries are attached; scrutinize the qualifications of nominees and report back their recommendations. Public hearings may be held for nominees for any other office.

Information Concerning Nominations

4. All information, communication or remarks made by a Senator when acting upon nominations in committee, concerning the character or qualifications of the person nominated, shall be kept secret. If, however,

charges shall be made against a person nominated, the committee may, in its discretion, notify such nominee thereof, but the name of the person making such charges shall not be disclosed.

Consideration

5. When the consideration of executive nominations is reached in the order of business, a Senator may make a motion to go into executive session for the purpose of confirming the nominations which have been reported from committee; and on the motion being agreed to, such nomination or nominations shall be considered the first order of the day until finally disposed of, unless the same shall be postponed by a majority of the Senate; but such business when once commenced shall not be postponed for more than five days, except in case of an adjournment of the Senate for a longer period.

Executive Session

6. When in executive session, no message shall be received from the Governor, unless it be relative to the nomination under consideration, nor from the House of Representatives, nor shall any other business be considered, except executive business, and the executive session shall not adjourn pending the consideration of the nomination until a time fixed by a majority vote of those present for the next meeting of the executive session to resume the consideration thereof.

Reconsideration

7. When a nomination is confirmed or rejected by the Senate, any Senator may move for a reconsideration on the same day on which the vote was taken, or on either of the next two days of actual session of the Senate; but if a notification of the confirmation or rejection of a nomination shall have been sent to the Governor before the expiration of the time within which a motion to reconsider may be made, the motion to reconsider shall be accompanied by a motion to request the Governor to return such notification to the Senate. A motion to reconsider the vote on a nomination may be laid on the table without prejudice to the nomination.

XXX RESOLUTIONS

Introduction

1. All resolutions, Senate and concurrent, shall be introduced by presenting ten copies thereof to the President.

Consideration

2. The following resolutions, after they have been read, shall be referred to an appropriate committee without debate unless by unanimous consent the Senate shall otherwise direct and, if favorably reported by the committee, shall lie over one day for consideration, after which they may be called up as, of course, under their appropriate order of business:

a. All Senate and House concurrent resolutions, excepting resolutions in reference to adjournments and those recalling bills from the Governor, which shall be regarded as privileged.

b. Resolutions containing calls for information from the heads of departments, or to alter the Rules.

c. Resolutions giving rise to debate, except such as relate to the disposition of matters immediately before the Senate, such as relate to the business of the day on which they were offered and such as relate to adjournment or taking a recess.

Printing in Senate History

3. Congratulatory and condolence resolutions shall be given to the Secretary-Parliamentarian and shall be considered under the order of unfinished business in the daily order of business.

4. All resolutions shall be adopted by a majority vote of the Senators present except as specifically provided for in this Rule.

Joint Resolutions

5. Joint Resolutions shall be limited to constitutional amendments and shall be adopted by a vote of a majority of the Senators elected to the Senate;

A joint resolution when passed by both Houses shall not be transmitted to the Governor for his approval or disapproval but shall be filed in the Office of the Secretary of the Commonwealth in accordance with Article

XXXI LOUNGING IN THE SENATE PROHIBITED

1. The Secretary-Parliamentarian of the Senate shall cause the doors of the Senate Chamber closed to all persons except persons who are entitled under the Rule of the Senate; and the Secretary-Parliamentarian shall call on any officer of the Senate to aid him in enforcing this order; and on days when the Senate is not in session the officers are hereby required to strictly prohibit any lounging within the Senate Chamber by any person not connected with the General Assembly, and that henceforth no officer, nor any other person, be permitted to occupy the seat of a Senator at any time; it shall be the duty of the President to see that this Rule is enforced, and a persistent disregard of it by any officer or employee shall be cause of dismissal by the President.

XXXII VETO

Passing over Veto

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

2. A bill vetoed in a first regular session and not finally acted upon may be brought up for consideration in a second regular session.

XXXIII DIVISION OF A QUESTION

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

XXXIV SENATE EXPENDITURES

1. Counsel employed by a committee chairman or minority chairman for the committee may not represent the committee chairman or a member of the chairman's staff, or any member of the committee or of a committee member's staff, in any private legal proceeding while employed by the Senate. Nor may any Senate funds be used to pay private legal counsel for any Senator, officer or staff member.

XXXV COMMITTEE ON ETHICS AND OFFICIAL CONDUCT

1. In addition to the committees created by Rule XV, there shall be a Committee on Ethics and Official Conduct which shall be composed of six members appointed by the President Pro Tempore. Three members shall be of the Majority Party and three members shall be of the Minority Party. The Minority Party members will be appointed on the recommendation of the Minority Leader.

2. The President Pro Tempore shall appoint one of the Majority Party members as Chairman and, on the recommendation of the Minority Leader, one of the Minority Party members as Vice-Chairman. A quorum for this committee shall be four members and the committee shall have such duties, powers, procedure and jurisdiction as are prescribed and authorized in this Rule.

3. The committee shall receive complaints against members, officers and employees of the Senate alleging illegal or unethical conduct or violation of any statute, Rule or regulation governing the use of money appropriated to the Senate. Any such complaint must be in writing, verified by the person filing the complaint and must set forth in detail the conduct in question and the section of the "Legislative Code of Ethics" or the statute, Rule or regulation violated. The committee shall make a preliminary investigation of the complaint, and if it is determined by a majority of the committee that a violation may have occurred, the person against whom the complaint has been brought shall be notified in writing and given a copy of the complaint. Within ten days after receipt of the complaint, such person may file a written answer thereto with the committee. Upon receipt of the answer, by vote of a majority of the committee, the committee shall either dismiss the complaint within ten days or proceed with a formal investigation, which may include hearings, not more than twenty days after notice in writing to the persons so charged. Failure of the person charged to file an answer shall not be deemed to be an admission or create an inference or

presumption that the complaint is true, and such failure to file an answer shall not prohibit a majority of the committee from either proceeding with a formal investigation or dismissing the complaint.

4. In addition to action on formal complaints as provided in section 3, a majority of the committee may initiate a preliminary investigation of a suspected violation of the "Legislative Code of Ethics" or a violation of any other statute, Rule or regulation governing the use of money appropriated to the Senate by a Member, officer or employee of the Senate. If it is determined by a majority of the committee that a violation may have occurred, the person in question shall be notified in writing of the conduct in question and the section of the "Legislative Code of Ethics" or other statute, Rule or regulation violated. Within ten days, such person may file a written answer thereto. Upon receipt of the answer, by vote of a majority of the committee, the committee shall either dismiss the charges within ten days or proceed with a formal investigation which may include hearings, not more than twenty days after notice in writing to the person so charged. Failure of the person charged to file an answer shall not be deemed to be an admission or create an inference or presumption that the charge is true, and such failure to file an answer shall not prohibit a majority of the committee from either proceeding with a formal investigation or dismissing the charge.

5. The chairman shall notify all members of the committee at least twenty-four hours in advance of the date, time and place of a regular meeting. Whenever the chairman shall refuse to call a regular meeting, a majority of the committee may call a meeting by giving two days' written notice to the Majority and Minority Leaders of the Senate setting forth the time and place for such meeting. Thereafter, the meeting shall be held at the time and place specified in such notice.

The committee shall conduct its investigations, hearings and meetings relating to a specific investigation or a specific Member, officer or employee of the Senate in closed session and the fact that such investigation is being conducted or is to be conducted or that hearings or such meetings are being held or are to be held shall be confidential information unless the person subject to investigation advises the committee in writing that he elects that such meetings or hearings shall be held publicly: Provided, however, That whenever the committee is conducting an investigation of an employee of the Senate the committee shall inform the Senator or officer supervising such employee of the investigation. In the event of such an election, the committee shall

furnish such person a public meeting or hearing. All other meetings of the committee shall be open to the public and notice of such meetings shall be given as generally provided in these Rules for the convening of committees.

In the event that the committee shall elect to proceed with a formal investigation of the conduct of any Member, officer or employee of the Senate, the committee may employ independent counsel.

All constitutional rights of any person under investigation shall be preserved, and such person shall be entitled to present evidence, cross-examine witnesses, face the accuser, and be represented by counsel.

The chairman may continue any hearing for reasonable cause, and upon the vote of a majority of the committee or upon the request of the person subject to investigation, the chairman shall issue subpoenas for the attendance and testimony of witnesses and the production of documentary evidence relating to any matter under formal investigation by the committee. The committee may administer oaths or affirmations and examine and receive evidence.

6. All testimony, documents, records, data, statements or information received by the committee in the course of any investigation shall be private and confidential except in the case of public meetings or hearings or in a report to the Senate. No report shall be made to the Senate unless a majority of the committee has made a finding of unethical or illegal conduct or violation of the statutes, Rules and regulations relating to Senate funds on the part of the person under investigation. No finding of unethical or illegal conduct or violation of the statutes, Rules and regulations relating to Senate funds shall be valid unless signed by at least a majority of the committee. Any such report may include a minority report. No action shall be taken on any finding of illegal or unethical conduct or violation of the statutes, Rules or regulations relating to Senate funds, nor shall such finding or report containing such finding be made public, sooner than seven days after a copy of the finding is sent by certified mail to the Member, officer or employee under investigation.

7. In the event the committee finds that a Member, officer, or employee of the Senate has violated a statute, Rule or regulation relating to use of Senate funds, the committee may order such Member, officer, or employee to reimburse the Senate for the funds wrongly expended and

to take other remedial action. If the Member, officer, or employee does reimburse the Senate or take such other remedial action as may have been required, no formal report shall be made to the Senate unless the committee is requested in writing to file a formal report by the Member, officer, or employee who is the subject of the order. If the Member, officer, or employee fails to reimburse the Senate or take the required remedial action within seven days of receipt of the order, the committee, unless it shall, by majority vote thereof, extend such time for good cause, shall within seven days file its formal report with the Senate along with its recommendation of action by the Senate to secure reimbursement, effect the recommended remedial action, or initiate appropriate disciplinary action.

Any Member, officer, or employee of the Senate who is the subject of an order of reimbursement or remedial action may appeal the committee's order to the Senate within seven days of receipt of the order by filing notice thereof with the Secretary-Parliamentarian of the Senate, who shall cause such notice to be distributed to the Members of the Senate along with a copy of the report of the committee involving such Member, officer, or employee.

Notice of the appeal shall be placed on the Senate Calendar and shall be acted on by the Senate within ten legislative days. A vote by a majority of the Members elected shall be necessary to sustain an appeal or modify the committee report or order; otherwise it shall become effective and the Members, officers, and employees of the Senate shall take such action as is necessary to secure compliance.

8. The committee, whether or not at the request of a Member, officer or employee concerned about an ethical problem or question concerning the use of Senate funds relating to himself alone or in conjunction with others may render advisory opinions with regard to questions pertaining to legislative ethics, decorum, or use of Senate funds. Such advisory opinions, with such deletions and changes as shall be necessary to protect the identity of the persons involved or seeking them, may be published and shall be distributed to all members, officers and employees of the Senate. No order for reimbursement or remedial action may be made when the Member, officer, or employee has relied on a written advisory opinion, whether addressed to him or not, which is reasonably construed as being applicable to the complained of conduct.

9. In the event that a member of the committee shall be under investigation, said Member shall be temporarily replaced on the

committee in a like manner as said Member's original appointment.

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

10. The committee may adopt rules of procedure for the orderly conduct of its affairs, investigations, hearings and meetings, which rules are not inconsistent with this Rule.

11. The committee may meet with a committee of the House of Representatives to hold investigations or hearings involving employees of the two Houses jointly, or officers or employees of the Legislative Reference Bureau, the Joint State Government Commission, the Local Government Commission, the Joint Legislative Air, Soil and Water Conservation and Control Commission, the Legislative Budget and Finance Committee and the Legislative Data Processing Committee: Provided, however, That no action may be taken at a joint meeting unless it is approved by a majority of each committee.

12. The Legislative Audit Advisory Commission shall submit copies of its reports to the committee which shall review them and proceed, where appropriate, as provided in section 7.

13. Whenever the committee shall employ independent counsel or shall incur other expenses pursuant to its duties under this Rule, payment of costs of such independent counsel or other expenses incurred by the committee pursuant to this Rule, shall be paid by the Chief Clerk upon submission of vouchers and necessary documentation which vouchers shall be signed by both the chairman and vice-chairman of the committee. Included in such allowable expense items shall be travel and per diem for the members of the committee. The Chief Clerk shall pay such expenses out of funds appropriated to the Chief Clerk for incidental expenses.

XXXVI STATUS OF MEMBERS INDICTED OR CONVICTED OF A CRIME

1. When an indictment is returned against a Member of the Senate, and the gravamen of the indictment is directly related to the Member's conduct as a committee chairman, ranking minority committee member

or in a position of leadership, the Member shall be relieved of such committee chairmanship, ranking minority committee member status, or leadership position until the indictment is disposed of, but the Member shall otherwise continue to function as a Senator, including voting, and shall continue to be paid.

2. If, during the same legislative session, the indictment is quashed, or the court finds that the Member is not guilty of the offense alleged, the Member shall immediately be restored to the committee chairmanship, ranking minority committee member status, or leadership position retroactively from which he was suspended.

3. Upon a finding or verdict of guilt by a judge or jury, plea or admission of guilt or plea of nolo contendere of a Member of the Senate of a crime, the gravamen of which relates to the Member's conduct as a Senator, and upon imposition of sentence, the Secretary-Parliamentarian of the Senate shall prepare a resolution of expulsion under the sponsorship of the Chairman and Vice-Chairman of the Senate Committee on Ethics and Official Conduct. The resolution shall be printed and placed on the Calendar for the next day of Senate session.

XXXVII STATUS OF OFFICERS OR EMPLOYEES INDICTED OR CONVICTED OF A CRIME

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

2. If the indictment is quashed, or the court finds that the officer or employee is not guilty of the offense alleged, the suspension without pay shall be terminated, and the officer or employee shall receive compensation for the period of time during which the officer or employee was suspended which compensation shall be reduced by the amount of any compensation said officer or employee earned from other employment during the period of suspension.

3. If the officer or employee or the supervising Senator of such employee disagrees with the decision of the Chief Clerk as to whether an indictment for particular conduct shall be a crime requiring suspension or dismissal, the officer or employee in question or the supervising Senator may appeal the suspension to the Committee on Ethics and Official Conduct, which shall determine whether the conduct charged is an offense requiring suspension. Whenever an appeal of a suspension shall be taken to the committee, the suspension shall remain effective pending a decision by the committee.