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SESSION OF 2017 201ST OF THE GENERAL ASSEMBLY

No. 1

SENATE

TUESDAY, January 3, 2017

The PRESIDENT. This is the constitutional day and hour for the convening of the 201st Regular Session of the General Assembly.

The PRESIDENT (Lieutenant Governor Mike Stack) called the Session to order at 12 m., Eastern Standard Time.

PRAYER

The Chaplain, Very Reverend GEORGE JOHNSON, Pastor of St. John the Baptist Orthodox Church, Johnstown, offered the following prayer:

Before the regular prayer, I first ask everyone to join in observing a moment of silent prayer for slain Pennsylvania State Trooper Landon Weaver.

(Whereupon, those assembled stood in a moment of silence in solemn respect to the memory of State Trooper LANDON WEAVER.)

O God of spirits and all flesh, who has trampled down death, overthrown the devil, and who has given life to Thy world, we beseech Thee to grant rest to Thy departed servant, Landon, in a place of brightness, a place of refreshment, a place of rest from which all sickness, sorrow, and sanguine have fled away. Grant rest to Thy servant, Landon, and make his memory to be eternal.

In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

O Master Lord, our God, the fountain of life and immortality, the Creator of all things, both visible and invisible, O thou who governs the years and the seasons and who guides all things with Thy wise providence, mercy, and grace. Thou has honored us human beings, making us in Thine own image. Thou did teach us through Thy disciples that the fear of God is the beginning of wisdom. We humbly beseech Thee therefore to look down upon the people gathered here and bless them, open their minds, their hearts, and their lips so that they may come to understand Thy most holy will. Bless their lives with Thy goodness, direct their lives in the path of Thy goodness. Bless all the good intentions of Thy servants and grant that they may serve Thee and serve all of the people who faithfully call upon Thee seeking to do Thy most holy will.

We beseech Thee, look down upon all our civil authorities and grant to them the gift of Thy peace. Speak good things into their hearts so that they may successfully accomplish their tasks to the glory of Thy holy name. And as Thou did grant Thy wisdom to Solomon, touch the lives of Thy servants so that they

might see their work as Thy righteous calling to protect us in the manner of Thy guardian angels and care for us in the manner of the Good Samaritan. Preserve Thy servants and all Thy people in peace, safety, and health. Deliver us from every snare of every enemy, both visible and invisible, and grant to all of us all Thy good things which are expedient for us as we always offer praise and thanksgiving unto Thee. To the Father, and to the Son, and to the Holy Spirit, now and ever, and unto the ages of ages. Amen.

The PRESIDENT. The Chair thanks Father Johnson for a beautiful prayer. He is the guest today of Senator-elect Langerholc.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was recited by those assembled, led by the gentlewoman from Washington, Senator BARTOLOTTA.)

PERMISSION TO ADDRESS

The PRESIDENT. The Chair recognizes the gentleman from Blair, Senator Eichelberger.

Senator EICHELBERGER. Mr. President, I rise to explain to the people gathered today a little bit about Trooper Landon Weaver, who was a constituent of mine and was killed in my district just 4 days ago at approximately 6:30 p.m., on December 30, 2016. He was inside a home in Juniata Township, Huntingdon County, investigating a Protection From Abuse order.

Trooper Weaver was 23 years old. Trooper Weaver married his high school sweetheart, Macy, in June, just 7 months ago. He was a native of my hometown, East Freedom in Blair County, and he graduated from Central High School, my alma mater, in 2012. He pursued a criminology degree at Indiana University of Pennsylvania until his acceptance into the Pennsylvania State Police Academy in Hershey. He enlisted on December 14, 2015, a little more than a year ago. On June 17, 2016, 2 weeks after his wedding, he graduated as part of the Pennsylvania State Police's 145th Cadet Class. Trooper Weaver was assigned to Patrol Unit at Troop G, Huntingdon. He is survived by his beloved wife, Macy, of Martinsburg; his parents of East Freedom; a brother, Larett E., at home; paternal grandparents, Merrill E., Jr., and Christine D. Weaver of Roaring Spring; and many other family and friends who loved him dearly. I know we all share in his loss. I ask for a moment of silence from my colleagues here in the Senate.

The PRESIDENT. The Chair thanks Senator Eichelberger for the very important memorial of another brave Pennsylvania hero. We will now recognize him with a moment of silence.

(Whereupon, the Senate en bloc stood in a moment of silence in solemn respect to the memory of State Trooper LONDON WEAVER.)

The PRESIDENT. God bless the State Police and Landon Weaver's memory and his family.

PRESENTATION OF ELECTION RETURNS

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present the Executive Deputy Secretary of the Commonwealth, Robert Torres.

Executive Deputy Secretary TORRES. Mr. President, I have the honor to present the returns and statement of campaign expense compliance for the offices of Attorney General, Auditor General, Treasurer, and Senator in the General Assembly for the election held November 8, 2016.

The PRESIDENT. The Chair thanks Deputy Secretary Torres. The returns for Treasurer, Auditor General, and Attorney General will lie on the table.

ELECTION RETURNS OF SENATORS

The PRESIDENT. The returns of the Senators will be read by the Clerk.

The Clerk read the election returns as follows:

Philadelphia	FIRST SENATORIAL DISTRICT Lawrence M. Farnese, Jr. (D)	114,099
Philadelphia	THIRD SENATORIAL DISTRICT Sharif T. Street (D)	98,955
Philadelphia	FIFTH SENATORIAL DISTRICT John P. Sabatina, Jr. (D) Ross Eric Feinberg (R)	64,508 31,644
Philadelphia	SEVENTH SENATORIAL DISTRICT Vincent J. Hughes (D)	108,471
Delaware	NINTH SENATORIAL DISTRICT Thomas H. Killion (R) Martin W. Molloy II (D)	70,764 67,011
Berks	ELEVENTH SENATORIAL DISTRICT Judith L. Schwank (D/R)	98,370
Lancaster	THIRTEENTH SENATORIAL DISTRICT Scott F. Martin (R) Gregory Paulson (D)	66,595 48,476
Dauphin	FIFTEENTH SENATORIAL DISTRICT Giovanni M. DiSanto (R) Robert F. Teplitz (D)	62,774 58,591
Montgomery Delaware	SEVENTEENTH SENATORIAL DISTRICT Daylin Leach (D) Brian Gondek (R)	88,827 50,010
Chester	NINETEENTH SENATORIAL DISTRICT Andrew E. Dinniman (D) Jack Samuel London (R)	75,615 58,456
Venango	TWENTY-FIRST SENATORIAL DISTRICT Scott E. Hutchinson (R)	101,525
Lycoming	TWENTY-THIRD SENATORIAL DISTRICT Emerson Eugene Yaw (R)	85,889

Jefferson Clearfield	TWENTY-FIFTH SENATORIAL DISTRICT Joseph B. Scarnati III (R) Jerri Buchanan (D)	76,416 25,686
Columbia	TWENTY-SEVENTH SENATORIAL DISTRICT John R. Gordner (R)	83,083
Schuylkill	TWENTY-NINTH SENATORIAL DISTRICT David G. Argall (R)	92,537
York Cumberland	THIRTY-FIRST SENATORIAL DISTRICT Michael R. Regan (R) John Boshka (D) Kenneth Gehosky (NP)	87,269 38,478 9,331
Franklin	THIRTY-THIRD SENATORIAL DISTRICT Richard L. Alloway II (R)	99,377
Cambria	THIRTY-FIFTH SENATORIAL DISTRICT Wayne Langerholc, Jr. (R) Ed Cernic, Jr. (D)	68,397 41,349
Allegheny	THIRTY-SEVENTH SENATORIAL DISTRICT Guy Reschenthaler (R) Edward H. Eichenlaub (D)	90,987 59,044
Westmoreland	THIRTY-NINTH SENATORIAL DISTRICT Kim Ward (D/R)	111,696
Indiana	FORTY-FIRST SENATORIAL DISTRICT Donald C. White (R) Anthony J. Deloreto (D) Stanley Buggie (UM)	76,843 30,739 4,701
Allegheny	FORTY-THIRD SENATORIAL DISTRICT Jay Costa, Jr. (D)	114,984
Allegheny	FORTY-FIFTH SENATORIAL DISTRICT James R. Brewster (D)	89,016
Beaver	FORTY-SEVENTH SENATORIAL DISTRICT Elder A. Vogel, Jr. (R)	95,622
Erie	FORTY-NINTH SENATORIAL DISTRICT Daniel J. Laughlin (R) Sean Wiley (D)	57,790 50,356

*Party Designation - (D) Democrat, (NP) No Party Affiliation, (R) Republican, (UM) USA Minutemen

Whereupon, the following named persons were declared duly elected Senators in the General Assembly of the Commonwealth of Pennsylvania:

- First District—Lawrence M. Farnese, Jr.
- Third District—Sharif T. Street
- Fifth District—John P. Sabatina, Jr.
- Seventh District—Vincent J. Hughes
- Ninth District—Thomas H. Killion
- Eleventh District—Judith L. Schwank
- Thirteenth District—Scott F. Martin
- Fifteenth District—Giovanni M. DiSanto
- Seventeenth District—Daylin B. Leach
- Nineteenth District—Andrew E. Dinniman
- Twenty-first District—Scott E. Hutchinson
- Twenty-third District—Emerson Eugene Yaw
- Twenty-fifth District—Joseph B. Scarnati, III
- Twenty-seventh District—John R. Gordner
- Twenty-ninth District—David G. Argall

Thirty-first District—Michael R. Regan
 Thirty-third District—Richard L. Alloway, II
 Thirty-fifth District—Wayne Langerholc, Jr.
 Thirty-seventh District—Guy Reschenthaler
 Thirty-ninth District—Kim Ward
 Forty-first District—Donald C. White
 Forty-third District—Jay Costa, Jr.
 Forty-fifth District—James R. Brewster
 Forty-seventh District—Elder A. Vogel, Jr.
 Forty-ninth District—Daniel J. Laughlin

STATEMENT BY THE PRESIDENT

The PRESIDENT. For the record, the Chair has been informed by the Secretary of the Commonwealth that all Senators-elect have filed in his office the accounts and affidavits as required by the election laws.

ANNOUNCEMENT BY THE PRESIDENT

The PRESIDENT. Before proceeding to the administration of the oaths of office, the Chair would like to request the cooperation of the news photographers and others who would like to take pictures or videotapes so that during each of the actual ceremonies there will be no picture-taking. Those Senators who are sworn in are asked to please, at the conclusion of the actual administration of the oath of office, stay at the bar for a few minutes for the convenience of any person who would desire to take pictures, and it will be an immense number of folks. The rest of us will be at ease for those few minutes of getting all of the pictures that you need, and many more.

Please also note the President pro tempore has authorized photographers from each Caucus to take photographs during today's ceremony. The Chair also advises the Members that Lancaster News Publications has been given permission to take still photographs during today's ceremonies. The Chair further advises the Members that PennLive, the Patriot-News, has also been given permission to take still photographs during today's ceremonies.

ADMINISTRATION OF OATH OF OFFICE TO REPUBLICAN SENATORS-ELECT

The PRESIDENT. The next order of business will be the administration of the oath of office to the new and re-elected Republican Senators. It is a distinct honor and privilege to have with us today a distinguished Justice of the Supreme Court of Pennsylvania, the Honorable Sallie Updyke Mundy. Justice Mundy has kindly consented to be here today to administer the oath of office to our Republican Senators-elect and Officers in accordance with Article VI, Section 3, of the Constitution of Pennsylvania. She is clearly an extremely efficient Justice and already is in place. We will proceed to the administration of the oath of office to the Republican Senators-elect by Justice Mundy.

Will the Republican Senators-elect present themselves in front of the rostrum. Please bring with you your Bibles. New Members, please stand in front. That is so we can keep an eye on you. For the Senators' information, the microphones are on.

Will everyone please rise.

I have the honor of presenting Justice Mundy, who will now administer the oath of office to the Republican Senators-elect.

Justice MUNDY. Please raise your right hand and repeat after me:

I, (state your name), do solemnly swear that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity.

Thank you.

(Applause.)

The PRESIDENT. Please be seated while an enormous amount of photographs are taken.

(The Senate was at ease.)

ADMINISTRATION OF OATH OF OFFICE TO DEMOCRATIC SENATORS-ELECT

The PRESIDENT. The next order of business will be the administration of the oath of office to the new and re-elected Democratic Senators, and, of course, it is an honor and a privilege to have with us another distinguished Justice of the Supreme Court of Pennsylvania, the Honorable Kevin M. Dougherty. Justice Dougherty has kindly consented to be here today to administer the oath of office to our Democratic Senators-elect in accordance with Article VI, Section 3, of the Constitution of Pennsylvania. I can see he is also now moving, another efficient Justice.

Will all of the Democratic Senators-elect present themselves in front of the rostrum. And, of course, please bring your Bibles.

Will everyone please rise.

I have the honor of presenting Justice Dougherty, who will administer the oath of office to the Democratic Senators.

Justice DOUGHERTY. Senators, please place your left hand on the Bible and raise your right hand. Please repeat after me:

I, (state your name), do solemnly swear that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity.

Congratulations.

(Applause.)

The PRESIDENT. Please be seated while a huge amount of photos are taken.

(The Senate was at ease.)

LEGISLATIVE LEAVE

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Senator Costa.

Senator COSTA. Mr. President, I request a legislative leave for Senator Tartaglione.

The PRESIDENT. Senator Costa requests a legislative leave for Senator Tartaglione. Without objection, the leave will be granted.

LEAVE OF ABSENCE

Senator CORMAN asked and obtained a leave of absence for Senator GREENLEAF, for today's Session, for personal reasons.

QUORUM PRESENT

The PRESIDENT. The Clerk will now call the roll to determine if a quorum is present. Will the Senators please answer "present" when your name is called.

The Clerk called the roll, and the following Senators were present:

First District—Lawrence M. Farnese, Jr.
 Third District—Sharif T. Street
 Fourth District—Arthur L. Haywood III
 Fifth District—John P. Sabatina, Jr.
 Sixth District—Robert M. Tomlinson
 Seventh District—Vincent J. Hughes
 Eighth District—Anthony Hardy Williams
 Ninth District—Thomas H. Killion
 Tenth District—Charles T. McIlhinney, Jr.
 Eleventh District—Judith L. Schwank
 Thirteenth District—Scott F. Martin
 Fourteenth District—John T. Yudichak
 Fifteenth District—Giovanni M. DiSanto
 Sixteenth District—Patrick M. Browne
 Seventeenth District—Daylin Leach
 Eighteenth District—Lisa M. Boscola
 Nineteenth District—Andrew E. Dinniman
 Twentieth District—Elisabeth J. Baker
 Twenty-first District—Scott E. Hutchinson
 Twenty-second District—John P. Blake
 Twenty-third District—Gene Yaw
 Twenty-fourth District—Robert B. Mensch
 Twenty-fifth District—Joseph B. Scarnati III
 Twenty-sixth District—Thomas J. McGarrigle
 Twenty-seventh District—John R. Gordner
 Twenty-eighth District—Scott Wagner
 Twenty-ninth District—David G. Argall
 Thirtieth District—John H. Eichelberger, Jr.
 Thirty-first District—Michael R. Regan
 Thirty-second District—Patrick J. Stefano
 Thirty-third District—Richard L. Alloway II
 Thirty-fourth District—Jake Corman
 Thirty-fifth District—Wayne Langerholc, Jr.
 Thirty-sixth District—Ryan P. Aument
 Thirty-seventh District—Guy Reschenthaler
 Thirty-eighth District—Randy Vulakovich
 Thirty-ninth District—Kim L. Ward
 Fortieth District—Mario M. Scavello
 Forty-first District—Donald C. White
 Forty-second District—Wayne D. Fontana
 Forty-third District—Jay Costa, Jr.
 Forty-fourth District—John C. Rafferty, Jr.
 Forty-fifth District—James R. Brewster
 Forty-sixth District—Camera C. Bartolotta
 Forty-seventh District—Elder A. Vogel, Jr.
 Forty-eighth District—Mike Folmer
 Forty-ninth District—Daniel J. Laughlin
 Fiftieth District—Michele Brooks

The PRESIDENT. Forty-eight Senators having answered to their names, a quorum is present.

STATEMENT BY THE PRESIDENT

The PRESIDENT. Before taking up the next order of business dealing with the election of the President pro tempore and several Officers of the Senate, the Chair would like to continue the

practice started a few Sessions ago, that if there is only one candidate for each of the several offices, the Chair will dispense with the calling of the roll and ask for a voice vote on the nomination. Is there any objection? The Chair hears none.

ELECTION OF PRESIDENT PRO TEMPORE

The PRESIDENT. The next order of business before the Senate will be the election of the President pro tempore of the Senate for the 2017 Session. This is in accordance with Article II, Section 9, of the Constitution of Pennsylvania.

The Chair now opens the floor for nominations and recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, today, as we begin a new year and a new legislative Session, I am excited to see so many new faces here in the Chamber. This year we swore in six new Members to the Senate, bringing the total number of new Senators in this body since 2014 to 16. This unprecedented number of new Members with fresh ideas and unique backgrounds will be much needed and welcomed as we face tough challenges ahead of us and looking for solutions to issues that are facing our Commonwealth. We welcome you to the Senate of Pennsylvania and we look forward to working with you.

Today, we must also elect a President pro tempore to lead this Chamber through the legislative Session. It is a tough assignment, and one that is vitally important to our success. To be a good Leader, you sometimes need to go down an untraveled path. As Andrew Carnegie once said, "No man will make a great leader who wants to do it all himself, or to get all the credit for doing it." I cannot think of a better description of a man whom I am proud to nominate today to serve as President pro tempore of the Senate, Senator Joe Scarnati. Senator Scarnati has set the example for all of us by building consensus, encouraging civility, and bringing common sense and integrity to this Chamber. Most importantly, he has proven to be an effective Leader, something that is critical as we begin this new Session with so many challenges facing us. Great leadership is not a product of perfect circumstances. Great leadership is required precisely because perfect circumstances are seldom. I once read a quote that echoes this sentiment that says, "Anyone can hold the helm when the sea is calm." Indeed, anyone can steer a ship through tranquil waters, but rough seas require strong and creative leadership.

We are fortunate to have a person with those important qualities in Senator Scarnati. He is someone who can chart a strong and effective course for this Chamber and this Commonwealth, no matter what challenges we face. His record speaks for itself, and his integrity is well known to those of us who have had the opportunity to serve with him, and he is an example for Members being sworn in today.

Mr. President, I am proud to nominate Senator Joe Scarnati to serve as President pro tempore of the Senate of Pennsylvania.

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Senator Costa.

Senator COSTA. Mr. President, it gives me great pleasure to rise to second the nomination of our colleague and my good friend, Senator Joe Scarnati, to serve as the Senate President pro tempore for the 2017-18 legislative Session. Senator Scarnati is a proven leader with a long track record of serving all of the Members of this body. He is fair and he is forthright. He is unafraid of making tough choices for the good of the body, but also

for the good of each Member. Mr. President, last Session we dealt with incredibly difficult issues and we had major policy disagreements. Some of those issues were resolved, and many were left unresolved. But under Senator Scarnati's leadership, we were able to work together in a bipartisan way when it was possible, and when it was not possible and we had differences of opinion, Members of each Caucus had the opportunity to present his or her argument on the floor, and that is being fair, and that is what Senator Scarnati is about.

In fact, Mr. President, that is the essence of how this Chamber, our Senate Chamber, operates. We are full with a tremendous number of individually talented, exceptional Members, and we are assisted by a very dedicated staff that allows us to run and function effectively. But to be able to function effectively, one has to respect the rights of all the Members, encourage discourse, and empower each Member to engage in a process, and that is how this body works best and that is why we work well together. To do that, we need to have leaders from both parties and both individuals across the political spectrum who recognize what leadership is about. A leader is one who is unique enough to stand alone in the midst of turmoil. A leader is one who recognizes the path forward when obstacles block the normal path of progress. A leader is one who brings together the strengths of all Members and the institution itself to deliver well-reasoned and well-thought-out policies that represent and reflect the interest of all Pennsylvanians. That is why we are fortunate to have Senator Joe Scarnati as our President pro tempore.

There is no question we will continue to enter into uneasy times. We have a major budget deficit looming for this fiscal year, but also going forward for the next several years. That is what we have in store for our future, and that is one of the major issues that we have to tackle. But we have folks who will fall through the social service safety net and are looking to us to help rescue them to be able to restore these much-needed services across this Commonwealth. We have children in schools throughout the Commonwealth who are depending upon us to help them get a good quality education. We have hardworking individuals who are frustrated by the loss of jobs, frustrated by the loss of opportunity, and, quite frankly, frustrated by the loss of government focus. We have taxpayers who are paying the freight. They feel as though we have not been attuned to what they are telling us. Today we face uncertainty and many of us are uneasy about how our national government will function, and those whom we represent in this Commonwealth are wondering whether government at our State level is up to the task. We have an opportunity to prove that at least in this Senate Chamber, and in this Commonwealth, we can operate effectively. That is our challenge and that is our charge.

In past years I have talked about how our President pro tempore has set the tone for this Chamber and how he works hard to channel passions that the Members have about key issues and personalities. As our Leader, Senator Scarnati must not only create avenues so that all Members are empowered, whether Democrat or Republican, but also it is the President pro tempore's responsibility to assure that the rights of both the Majority and Minority are represented. Whether in the face of a recalcitrant House of Representatives or a partisan divide with our executive branch, there are opportunities for the President pro tempore to put his or her stamp on the process. The President pro tempore helps determine whether government is going to work

and whether it is going to work well in this Chamber and in this Commonwealth. Over the years, Senator Scarnati has demonstrated that he has the will to reach across the aisle, between the Chambers, and across the partisan divide to ensure that the Senate and its Members are part of the solution. Senator Scarnati understands that there is a major difference between the passions of partisan elections and responsibility of governing in a bipartisan body. He knows that the Senate has to rise above and go beyond, that there is a time and a place to turn our government back to the people, and that begins today as we swear in new Members and welcome back old friends.

Mr. President, it gives me great honor and great pleasure again to introduce and to second the nomination of Senator Joe Scarnati as President pro tempore for the 2017-18 legislative Session.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator McGarrigle.

Senator McGARRIGLE. Mr. President, I rise today not only to second the nomination of Senator Joseph Scarnati as President pro tempore of this body, but also to second and confirm the praise of my two colleagues. Mr. President, I represent the 26th Senatorial District in Pennsylvania, which serves Delaware and Chester Counties. There are Members here who serve farther east and Members here who represent areas from the western fringes of the Commonwealth of Pennsylvania. The role of the President pro tempore is to be a bridge that connects our ideas, our constituents, and our agendas in a way that fosters and promotes fairness and integrity. As one experienced in other levels of government, and as a small businessman, I can tell you there is no one more fit to fill the role of President pro tempore than Joe Scarnati. Our body is now going to face challenges that many of us have never experienced. Tumultuous times that require principle, leadership, and a vision for a path forward. A steady hand will be the bridge for this Chamber to accomplish great things on behalf of all Pennsylvanians this season and move our Commonwealth forward.

Mr. President, it is my distinct honor and privilege to second the nomination of my friend, Senator Joseph B. Scarnati.

NOMINATIONS CLOSED

The PRESIDENT. Are there any other nominations or seconds? If not, the Chair will now declare the nominations for President pro tempore closed.

The candidate for the office of President pro tempore is the Honorable Joe Scarnati of Jefferson County. All those in favor of the Honorable Joe Scarnati for President pro tempore will please signify by saying "aye"; those opposed, "no."

A voice vote having been taken, the question was determined in the affirmative.

The PRESIDENT. The Chair declares Senator Joe Scarnati unanimously elected President pro tempore.

(Applause.)

COMMITTEE APPOINTED TO ESCORT PRESIDENT PRO TEMPORE-ELECT TO THE ROSTRUM

The PRESIDENT. The Chair takes pleasure in appointing the following committee to escort the President pro tempore-elect to

the rostrum for the administration of the oath of office: the gentlewoman from Mercer County, Senator Brooks; the gentleman from Lebanon County, Senator Folmer; and the gentleman from Chester County, Senator Dinniman. The committee will proceed to the performance of its duty.

(Whereupon, the President pro tempore-elect was escorted to the rostrum of the Senate.)

ADMINISTRATION OF OATH OF OFFICE TO PRESIDENT PRO TEMPORE-ELECT

The PRESIDENT. Administration of the oath of office will be done by the Honorable Sallie Updyke Mundy, Justice, Supreme Court of Pennsylvania.

Justice MUNDY. Repeat after me:

I, Joseph B. Scarnati III, do solemnly swear that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity.

Congratulations.

(Applause.)

The PRESIDENT. The Chair now wishes to acknowledge that I agree entirely with all of the remarks made about my friend, Senator Scarnati. We came into the Senate together and he is absolutely a consensus builder and a Senator who understands the importance of good relationships. It is my honor and pleasure to be his friend, to work with him on many issues, and to now introduce him as our President pro tempore, Senator Joe Scarnati.

(Applause.)

REMARKS BY THE PRESIDENT PRO TEMPORE

The PRESIDENT pro tempore. Thank you, Justice Mundy and Justice Dougherty, for being here with us today. I thank the most well-dressed Lieutenant Governor, Governor Stack, for being here and presiding today. I thank each of you for your service to the Commonwealth.

Senator Corman, Senator Costa, and Senator McGarrigle, one of the highlights of my year is sitting here and hearing all of you say so many kind things about me. I appreciate it, and what people really need to know is the fact that we are all friends. In spite of the aisle that goes down through the middle of this building, we are all friends and we all work together.

Doing this job effectively would not be possible without my beautiful wife, Amy, who is here. To my friends and colleagues, everybody knows Amy is my real rock. So, thank you for joining me today, Amy.

To all my coworkers in my office--I always refrain as much as I can from calling them staff. They are not staff, they are coworkers. They make this place work and they work well for the taxpayers.

I also congratulate our Chief Clerk, Donetta D'Innocenzo, and our Senate Parliamentarian, Megan Martin, upon their soon re-election, so that they continue in their roles. I thank the both of you for what you do for our Chamber.

It is also worth noting today that not only is it a special day because it is the start of this 2017-18 Session, but today is really important because I remembered it is Senator John Gordner's birthday. Senator Gordner has corrected me for many years, his birthday is today, mine and Citizen Mike's were yesterday, but

a few years ago when I got here, I had the wrong day and I had the wrong age and John corrected me. So happy birthday, John, and let us all give John a round of applause for his birthday.

(Applause.)

To each of the Members of the Senate, I thank you. I work for you and I appreciate and thank you for your trust in me to lead this Chamber.

Now, each and every year such as this year, I am sworn into this office, there is not a whole lot of ceremony to it or attention, but I always keep in mind to keep my remarks brief and I certainly do not embark upon major policy announcements at this point. Knowing this body of men and women very well, I know that each of you appreciate that. So, today, in keeping with tradition, my remarks will be short, but I do want to talk about some of the successes that we all in this Chamber have shared this past year.

I have always believed that if you hope to be an effective leader, you must first set the example you wish others to follow, and they will only believe in what you do, not necessarily in what you say. As Senator Corman reminds me often in my own words, results matter. The past 2 years in this Chamber we have set the example by what we have done. We have accomplished major liquor reform that benefits the consumer. Pennsylvania is moving into the 21st century as to how we sell beer, wine, and spirits. I thank Senator McIlhinney for working so diligently to get us to this point. Thank you. We finally moved forward on medical marijuana in the Commonwealth, an issue that some of us were a little worried about when it first came up. But this effort was led with passion and the continuous sharing of information by Senator Folmer and Senator Leach, and we are on the brink of bringing medical marijuana to Pennsylvania. I thank the two of you and this body for what you have done. We have moved the needle, which is an awful term to use, in addressing the opioid epidemic in the Commonwealth with bills going forward for the Governor's signature, and we thank Senator Yaw for his painstaking work, and we all recognize that more work needs to be done, and this body will come together to do something great for the families and citizens of Pennsylvania.

This Chamber has taken the lead on several occasions now on one of the toughest and most costly issues to taxpayers, pension reform. We have spent the better part of a legislative Session debating, amending, and passing significant reforms for new hires to our pension system. No two people have been out there working harder than Senator Browne and Senator Corman, and we thank them, and I thank you for your leadership on this issue. Moving forward we will continue to fight for a strong pension bill. It is no secret that this budget will prove to be challenging. I do not have to read too deep into the paper to understand where the Commonwealth's financial issues lie. Let me make a suggestion today, January 3, if you know or if you have specific policy changes the Commonwealth needs to make in how we spend our money, introduce a bill and start the process today. We cannot wait until June 30. Taxpayers expect us to have results, and results require legislation.

This is also an exciting day as we welcome to our Senate family six new Members. I look forward to getting to know each of you individually and working with you on issues that come before our body. Each of you comes from different backgrounds, and more importantly, life experiences, life experiences that bring your knowledge to this Chamber. Yes, you have personal

goals. This is what makes our job so rewarding but, yet, so difficult. We have much work to do in the Senate in the coming days, weeks, and months. Most we usually agree on, but when we disagree, we always do it in a respectful way.

For me, the style in which this Chamber operates, the collegiate spirit of the body, is what really makes me most proud to serve in this body and with each of you. As we move through today's Session, let us not forget that it was just New Year's Day, a day most of us reflect on how we are going to better ourselves. This year, let us take one extra moment and make one extra New Year's promise. Let us resolve to work together to have a Commonwealth that is better for all Pennsylvanians. Thank you for your support, and God bless.

(Applause.)

GUESTS OF SENATOR JAY COSTA PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Senator Costa, to recognize some special guests.

Senator COSTA. Mr. President, we are honored to have joining us on this very important day a number of our former colleagues who had the honor, as well, of serving in this Chamber. Let me begin by recognizing Senator Milton Street, who has joined us here today as his nephew, Sharif Street, is being sworn in.

(Applause.)

Also here, a Senator, I believe, from the Fifth Senatorial District, one of the youngest Members to be elected to the Senate at that time, Senator Bob Rovner.

(Applause.)

Many of the Members in this Chamber know our good friend who served with a number of us who now serves as chairman of the Pennsylvania Turnpike Commission, Senator Sean Logan.

(Applause.)

We are also joined today by someone who served this Commonwealth and this Chamber very well for a number of years, and many of us our staff folks -- our coworkers, I should say-- Senator Scarnati, I agree with you--Gladys Brown, who now serves as our chairperson of the Pennsylvania Utility Commission.

(Applause.)

I am very honored to have the former mayor of the city of Philadelphia, whose son today was sworn in as a State Senator from the city of Philadelphia, Mayor John Street. Mayor, thank you.

(Applause.)

Our mutual friends from labor, Rick Bloomingdale and Frank Snyder, joined us as well. Thank you, gentlemen.

(Applause.)

I know we are at capacity in terms of our seating arrangements, but I do know that Treasurer-elect Joe Torsela and Attorney General-elect Josh Shapiro are looking to get into the room, but I think they may have to wait a little while. So, they want to be part of what we are doing today as well. That is the list of folks I have today.

Mr. President, thank you very much.

(Applause.)

GUESTS OF SENATOR JAKE CORMAN PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Centre, Senator Corman, who also would like to recognize some special guests.

Senator CORMAN. Mr. President, before I do, I want to say briefly, when I was talking about great leadership qualities when I was introducing Senator Scarnati, one of those is consistency, and he is consistent, as today is not Senator Gordner's birthday. Thursday is Senator Gordner's birthday. So he got that wrong again.

I have just one guest. We have so many family and friends and guests here today, but I did want to introduce a distinguished person, a guest of our Senator from Lycoming County. This individual wears two titles that are very near and dear to my heart. One is the president of the Pennsylvania College of Technology, an institution of education of which I am an alumnus, but more importantly to me, as a father of two Little League players, she is Chairman of the Little League International Board of Directors, and that is Dr. Davie Jane Gilmour.

(Applause.)

ELECTION OF SECRETARY OF THE SENATE

The PRESIDENT. The next order of business before the Senate is the election of the Secretary of the Senate.

The Chair recognizes the gentleman from Fayette, Senator Stefano.

Senator STEFANO. Mr. President, today I rise to nominate Megan Martin to serve as Secretary and Parliamentarian of the Pennsylvania Senate. Megan has served in this capacity since June of 2012 when she was first unanimously elected. Following her election, she became the first woman to serve in this role and was unanimously reelected in both January of 2013 and January of 2015. Throughout the past 4 years, she has served the office and this Chamber with distinction. It is not difficult to see why she continues to be sought out for this position.

Megan's career in public service began as a civilian attorney in the Navy's Office of General Counsel. Additionally, she has served in various capacities in the administrations of Governors Corbett and Ridge. As Secretary and Parliamentarian of the Senate, Megan oversees a team of 80 people who attend to the business of running Senate operations. She has a keen eye for saving the Senate, and therefore the taxpayers, money by evaluating processes and streamlining operations. Megan always conducts herself in an impartial manner and is always open to hearing the perspective of all Members of the Senate, regardless of party affiliation or tenure. She is smart, fair, and hardworking, in other words, the exact type of person you would want to be advising us on the rules of our body. When I was elected to the Senate 2 years ago, I appreciated the time she took to personally answer the procedural and operational questions I had. I certainly encourage the new Members to utilize her resources, which you will learn in the Senate in the business it conducts.

Megan and her husband, Scott, reside in Mechanicsburg and are the proud parents of three children. As we all know, the work that we do in this Chamber requires long hours and time away

from our families. I thank Megan and her family for her continued service to the Senate and to the Commonwealth. So, again, Mr. President, I place the name of Megan Martin as the nominee for the position of Secretary and Parliamentarian and ask my colleagues to support her nomination.

The PRESIDENT. The Chair recognizes the gentleman from Philadelphia, Senator Williams.

Senator WILLIAMS. Mr. President, I appreciate you using the word "gentleman" at the beginning.

Mr. President, I rise today to second the nomination of Megan Martin to serve as Secretary and Parliamentarian of the Pennsylvania Senate. Off note, I want people to understand that she is an extraordinary person, not just a person who works in the Senate. It spills over to her job, and we appreciate that. The job of the Secretary of the Senate is very difficult. The Secretary must have a mastery of the Senate Rules and be able to apply those Rules fairly to Republicans and Democrats, even in the most contentious situations. One which you do not know is a resolution which is coming before you that allows all of us, Democrats and Republicans, to reflect our angst and anger over the Rose Bowl outcome, when it comes to Penn State, and we leave that directly at the foot of our friend on the other side of the aisle. It is all his fault, just so you know.

The Secretary of the Senate has to have a steady hand and a balanced approach so the Senate floor activities flow and all documents, votes, and requests are properly accounted for and open for public scrutiny. The Secretary of the Senate is also responsible for the operations of several institutional support offices that are vital to our work, and the Secretary plays a vital role in the Right-to-Know process. As important, the Secretary of the Senate is entrusted as an officer of this body and elected by this body to uphold the highest ethical standards so that motives of the institution and its Members are never questioned.

The position of Secretary of the Senate has evolved over the years and the office has been re-imagined. Reams of paper and file cabinets have been replaced by computers, Post-it Notes, and Senate actions. Technology has revolutionized how actions are managed and how our Chamber functions. Keeping up with the changes in making the legislative process of the Senate more open and accessible has been an important achievement. Those accomplishments are attributable to the leadership and professionalism of Megan Martin in her service as Secretary of the Senate.

Megan Martin has demonstrated an expertise in the Rules of the Senate, its operations, and its management, making it fair, honest, and forthright. For those reasons, I second the nomination of Megan Martin for Secretary and Parliamentarian of the Senate of Pennsylvania. God bless you.

The PRESIDENT. The Chair adds that I could not have a better Secretary and I have been very fortunate to serve as Lieutenant Governor while Megan Martin has been our Secretary. She is simply outstanding.

NOMINATIONS CLOSED

The PRESIDENT. Are there any other nominations or seconds? If not, the Chair will now declare the nomination for Secretary of the Senate closed.

The candidate for the office of Secretary of the Senate is Megan Martin of Cumberland County. All those in favor of

Megan Martin for the office of Secretary will please say "aye"; those opposed, "no."

A voice vote having been taken, the question was determined in the affirmative.

The PRESIDENT. The Chair declares Megan Martin unanimously elected Secretary of the Senate.

(Applause.)

ELECTION OF CHIEF CLERK OF THE SENATE

The PRESIDENT. The next order of business is the election of Chief Clerk of the Senate.

The Chair recognizes the gentlewoman from Luzerne, Senator Baker.

Senator BAKER. Mr. President, the position of Chief Clerk has always been one essential to the honest and responsible operation of the Senate. Still, it has grown in importance over time with additional duties placed by technology that we have embraced and the obligations under the modern open records law that we have approved. The Senate made an outstanding choice 3 years ago in bringing back Donetta D'Innocenzo, given her knowledge, skill, and familiarity with our traditions and standards. Through her dedication, she has well met our expectations in her managerial capability, reliability, and integrity. It is reassuring that we can count on her advice and attention to detail in helping us to comply with law and to act in concert with the public interest. It is no easy task attending to the many and diverse needs of 50 Members. Taxpayers expect us to contain costs, and at the same time they want us to explore additional ways of serving, communicating, and demonstrating accountability. Donetta and the professional staff she has assembled constitute a respected, trusted, and fine track record of service. On a more personal note, it is a nice touch for me as a graduate of Shippensburg University to credit the accomplishment of another distinguished alumnus.

So, I am pleased to place in nomination the name of Donetta D'Innocenzo for a new term as Chief Clerk of the Senate of Pennsylvania, and I recommend her approval.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Senator Fontana.

Senator FONTANA. Mr. President, I am honored to second the nomination of Donetta D'Innocenzo for Chief Clerk of the Senate. Since becoming Chief Clerk 3 years ago, Donetta has served Members on both sides of the aisle with objectivity and has worked to protect the integrity of this Chamber. Ranging in efforts from administrative cost-saving measures to fielding the right-to-know requests, Donetta's management has been invaluable to our Members and to our staff. Time and time again she has acted with the institution's best interests at heart and sought to address issues quickly, effectively, and efficiently. With over 30 years of experience--she may not want me to say that--in State government and government relations positions, Donetta has immense experience and knowledge.

Mr. President, I am confident that Donetta will continue to serve this Chamber with dignity, integrity, and honesty. I am very honored to second her nomination to another term as Chief Clerk of the Senate.

Thank you, Mr. President.

NOMINATION CLOSED

The PRESIDENT. Are there any other nominations or seconds? If not, the Chair will declare the nominations for Chief Clerk of the Senate closed.

The candidate for the office of Chief Clerk of the Senate is Donetta D'Innocenzo of Cumberland County. All those in favor of Donetta D'Innocenzo for the office of Chief Clerk please say "aye"; those opposed, "no."

A voice vote having been taken, the question was determined in the affirmative.

The PRESIDENT. The Chair declares Donetta D'Innocenzo elected Chief Clerk of the Senate.

(Applause.)

**OATH OF OFFICE ADMINISTERED
TO THE SECRETARY-ELECT AND
THE CHIEF CLERK-ELECT**

The PRESIDENT. The Secretary-elect and the Chief Clerk-elect will approach the bar of the Senate in order that the oath of office may be administered.

Once again, I call on Justice Mundy to administer the oath of office for the newly elected officers.

Please rise.

Justice MUNDY. Please raise your right hand and repeat after me:

I, (Megan Martin and Donetta D'Innocenzo), do solemnly swear that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity.

Congratulations.

(Applause.)

**SPECIAL ORDER OF BUSINESS
SENATE RESOLUTIONS ADOPTED**

Senators CORMAN and COSTA, by unanimous consent, offered **Senate Resolution No. 1**, which was read, considered and adopted by voice vote:

A RESOLUTION

Adopting Ethical Conduct Rules of the Senate.

RESOLVED, That Ethical Conduct Rules of the Senate be adopted for the governing of the 201st and 202nd Regular Session.

(2017-2018)

ETHICAL CONDUCT RULES OF THE SENATE

Rule 1. Preliminary provisions.

As used in these rules, the following words and phrases shall have the meanings given to them in this rule unless the context clearly indicates otherwise:

"Campaign activity." An activity on behalf of a political party, candidate, political committee or campaign, which is intended to advance the interests of a specific party, candidate, political committee or campaign for elective office, including any of the following:

- (1) Organizing a campaign meeting, campaign rally or other campaign event, including a fundraiser where campaign contributions are solicited or received.
- (2) Preparing or completing responses to candidate questionnaires that are intended solely for campaign use.
- (3) Preparing a campaign finance report.
- (4) Conducting background research on a candidate.
- (5) Preparing or conducting a campaign poll.

(6) Preparing, circulating or filing a candidate nominating petition or papers.

(7) Participating in, preparing, reviewing or filing a legal challenge to a nominating petition.

(8) Preparing, distributing or mailing any campaign literature, campaign signs or other campaign material, including television and radio ads, website construction, e-mails, facsimiles and robocalls, on behalf of any candidate for elective office.

(9) Managing a campaign for elective office.

(10) Participating in, preparing, reviewing or filing any documents in any recount, challenge or contest of any election.

(11) Posting campaign-related information on a website, including social media websites.

"Campaign contribution." A monetary or in-kind contribution made to an electoral candidate campaign.

"Candidate." As defined in section 1621 of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code.

"Cash gift."

(1) Any of the following:

- (i) United States or foreign currency.
- (ii) A money order.
- (iii) A check.
- (iv) A prepaid debit or credit card.
- (v) A gift card or certificate.

(2) The term does not include:

(i) An expenditure or other transaction subject to reporting under Article XVI of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code.

(ii) A commercial loan made in the ordinary course of business.

(iii) A transaction involving reasonable consideration of equal or greater value.

(iv) A cash gift from a parent, sibling, spouse, child, step-child, stepparent, stepsibling, grandparent, grandchild, parent-in-law, sibling-in-law or other close relative when the circumstances make it clear that the motivation for the action was a personal or family relationship.

(v) A cash gift available to the public or offered to members of a group or class in which membership is not related to being a Senator or Senate employee.

(vi) An award or prize given to competitors in any contest or event open to the public, including random drawings.

"Commercial loan made in the ordinary course of business." A loan from a bank or other financial institution on terms generally available to the public.

"De minimis." An economic consequence which has an insignificant effect.

"Lobbyist." Any individual, firm, association, corporation, partnership, business trust or other entity that is registered as a lobbyist under 65 Pa.C.S. Ch. 13A (relating to lobbying disclosure).

"Newsletter." A printed document more than one page in length that addresses more than one subject and is printed in quantities of 25,000 copies or more.

"Official action." An administrative action or legislative action, as those terms are defined in 65 Pa.C.S. § 13A03 (relating to definitions).

"Official mailing lists." Any list containing individuals, companies or vendors, including names, addresses, telephone numbers or e-mail addresses that are procured, compiled, maintained or produced with Senate funds.

"Own time." A Senate employee's time that is distinct from Senate work time and includes all leave.

"Principal." Any individual, association, corporation, partnership, business trust or other entity that is registered as a principal under 65 Pa.C.S. Ch. 13A (relating to lobbying disclosure).

"Senate employee." A person employed by the Senate, including the Chief Clerk and the Secretary of the Senate.

"Senate employee in a supervisory position." A Senate employee who has a general supervisory role within: a caucus; an individual Senator's office; or a Senate services office.

"Senate office." All Senate offices and Senate conference or meeting rooms located in the Capitol complex or any similar space contained within a district office.

"Senate resources." Senate-owned or Senate-leased equipment including telephones, computer hardware or software, copiers, scanners,

fax machines, file cabinets or other office furniture, cell phones, personal digital assistants or similar electronic devices and office supplies.

"Senate work time." Publicly paid work time consisting in the aggregate of 75 hours every two weeks for full-time employees and a lesser amount of publicly paid hours every two weeks for part-time employees.

"Senator." A person elected to serve in the Pennsylvania Senate from each of the fifty Senatorial districts.

Rule 2. Practice.

(a) Work time.--No campaign activity may be conducted by a Senate employee on Senate work time. The following shall apply:

(1) Senate employees are permitted to engage in campaign activities on their own time, as volunteers or for pay.

(2) Senate employees may work irregular hours often depending upon the time the Senate is in session. As a result, a staffer's own time can occur during what may be considered "normal" business hours.

(3) Sick leave, family and medical leave, work-related disability leave, parental leave, short-term disability leave, civil leave or military leave cannot be requested by a Senate employee to perform campaign activities.

(4) No Senate employee may be allowed any amount of Senate work time for time spent doing campaign activities.

(5) Senate employees, with the permission of their employing Senator, may reduce their Senate hours with a commensurate reduction in pay (and benefits, as required) to perform campaign activities. These arrangements must be memorialized in writing and filed with the Chief Clerk.

(6) Any Senate employee who has reduced his or her Senate hours to perform campaign activities shall keep a daily written log outlining Senate hours and related work responsibilities.

(b) Office and resources.--No campaign activity may be conducted by a Senator or a Senate employee in a Senate office or with Senate resources.

(1) De minimis campaign activities may be unavoidable for a Senator or Senate employee in the course of their official duties. Examples include the following:

(i) In responding to inquiries from the public, a Senator or a Senate employee may need to address questions that relate to a Senator's or other candidate's campaign for elective office or a related legislative record.

(ii) Scheduling assistance and information from the Senator or a Senate employee may be provided to ensure that no conflict occurs among the Senator's campaign schedule, official schedule and personal schedule.

(iii) Engaging in political conversation in the natural course of personal communication.

(2) Unsolicited campaign-related communication on a personally owned cell phone, personal digital assistant or similar electronic device may occur on a de minimis basis in a Senate office but may not interfere with Senate work time.

(3) A Senator's official State website shall not contain a link to a campaign website for any candidate. A Senator's campaign website shall not contain a link to his or her official State website. A Senate employee who is on Senate work time and using Senate resources may post legislative materials, media advisories, news releases and announcements on a social media website, which is not a campaign website for any candidate, even if campaign-related information also exists on such a website. A Senate employee who is on his or her own time and using personal resources may post material involving or referring to campaign activity on a social media website.

(c) Contributions.--The solicitation or receipt of campaign contributions on Senate work time or with Senate resources is prohibited.

(1) Solicitation or receipt of campaign contributions in a Senate office or with Senate resources is prohibited at any and all times.

(2) If an unsolicited contribution is sent to a Senate office through the mail or in an unidentifiable form, the employee who receives it shall turn it over to the campaign within no more than seven (7) days and immediately notify the donor that campaign contributions should not be received at a Senate office.

(3) No Senate employee may serve as an officer on a campaign committee or a campaign finance committee on behalf of any Senator, Senate candidate or Senate caucus.

(4) A Senate employee may help plan and may provide assistance at a campaign event on his or her own time.

(d) Employees.--No Senate employee may be required to perform any campaign activity or make any campaign contribution.

(1) No Senator, no Senate employee acting on the Senator's behalf and no Senate employee in a supervisory position may require a Senate employee to perform any campaign activity on Senate work time or on the employee's own time as a condition of employment.

(2) No Senator, no Senate employee acting on the Senator's behalf and no Senate employee in a supervisory position may require any Senate employee to make a campaign contribution as a condition of employment.

(3) A Senate employee who agrees or offers to participate in any campaign activity on his or her own time or who makes a campaign contribution may not do so in consideration of receiving any additional Senate compensation or employee benefit in the form of a salary adjustment, bonus, compensatory time off, continued employment or any other similar benefit.

(4) A Senate employee who declines to participate in a campaign activity or to make a campaign contribution shall not be sanctioned for that refusal.

(e) Newsletters.--No Senate-funded newsletter may be printed or distributed within 60 days of the primary or general election at which any Senate member is a candidate for the office of Senate or any other elective office.

(1) This subsection shall apply to newsletters printed by the Senate or by an outside vendor paid for with public funds.

(2) The Chief Clerk of the Senate may not authorize the reimbursement or payment of any money expended for print, distribution or postage incurred after the 60-day deadline.

(3) Senators who are candidates for the office of the Senate or any other elective office shall submit to the Secretary of the Senate a final proof copy of any newsletters no less than 90 days prior to the next occurring primary or general election.

(f) Official Senate mailing lists.--Official Senate mailing lists shall be used solely for legislative purposes.

(1) Official Senate mailing lists shall not be provided to any candidate, political party, political committee, campaign or campaign committee or used for any campaign purpose.

(2) Senate time and resources shall not be used to create, store or maintain any mailing list that identifies the listed individuals as campaign volunteers or contributors to any candidate, political party, political committee, campaign or campaign committee.

(3) No list may be developed by a Senator or a Senate employee using Senate time and resources for the purpose of monitoring or tracking campaign activity or campaign contributions of any Senate employee.

(4) Mailing lists may be purchased at fair market value from a private source with Senate funds if the lists are used solely for legislative purposes. A mailing list that is so acquired may not be used or redirected in the same or a modified form for campaign purposes.

(g) Non-work-related tasks.--No Senate employee may be required to perform any non-work-related task.

(1) No Senator, no Senate employee acting on the Senator's behalf and no Senate employee in a supervisory position may require a Senate employee to perform tasks unrelated to the Senate employee's official duties as a condition of employment.

(2) An employee who agrees or offers to perform a task unrelated to that person's official duties on his or her own time may not do so in consideration of receiving any additional State Senate compensation or employee benefit in the form of a salary adjustment, bonus, compensatory time off, continued employment or any other public benefit.

(3) An employee who refuses to perform a task unrelated to that person's official duties cannot be sanctioned for that refusal.

(h) Cash gifts.--No Senator or Senate employee shall accept or solicit a cash gift from any of the following:

(1) A lobbyist or principal.

(2) A person that is seeking official action from the Senator or Senate employee.

Rule 3. Enforcement.

(a) Standardized process.--There shall be a standardized process for reporting any alleged violation of these rules.

(1) A Senator or an employee who becomes aware of a violation of these rules should report the violation to any of the following:

(i) A Senator.

- designee. (ii) The President Pro Tempore, or an appropriate designee.
- designee. (iii) The Majority Leader of the Senate, or an appropriate designee.
- designee. (iv) The Minority Leader of the Senate, or an appropriate designee.
- (v) The employee's supervisor.
- (vi) The Secretary of the Senate.

(2) A verbal report by an employee is acceptable but must be followed up with a written statement that includes the date, time and place, names of possible witnesses and the nature of the ethical conduct violation. The written statement must be signed by the employee.

(3) Upon receipt of the written statement pursuant to paragraph (2), the person to whom the violation is reported as provided in paragraph (1) shall forward a copy of the written statement within five business days to the Secretary of the Senate or the Chief Clerk if the alleged violation involves the Secretary of the Senate or a person in the Secretary of the Senate's Office.

(4) A report of a possible violation of these rules must be filed within one year of the alleged conduct.

(b) Inquiry.--An inquiry and review of all properly submitted reports regarding an alleged violation of these rules shall be conducted.

(1) The Secretary of the Senate shall conduct a preliminary inquiry of any written statement forwarded under subsection (a)(3). The subject of the report shall be notified within five business days by the Secretary of the Senate that a written statement has been forwarded to the Secretary's office under subsection (a)(3). The Secretary of the Senate shall also notify the President Pro Tempore, the Majority Leader and the Minority Leader within five business days that a written statement has been forwarded to the Secretary's office under subsection (a)(3). The Secretary of the Senate shall have 14 business days from the date of those notifications to complete a preliminary inquiry and determine whether there is more than a de minimis violation of these rules and whether there is a satisfactory basis for the initiation of a formal investigation and shall report that recommendation to the President Pro Tempore, the Majority Leader and the Minority Leader. If the Secretary of the Senate or a person in the Secretary of the Senate's office is the subject of an alleged violation, the responsibilities under this subsection shall be performed by the Chief Clerk of the Senate.

(2) After receiving a recommendation from the Secretary of the Senate under paragraph (1) that a formal investigation is warranted, if the subject is a Senator, the President Pro Tempore, the Majority Leader and the Minority Leader shall proceed to refer the report to the Senate Committee on Ethics for an investigation by that committee in accordance with Rule 34 of the Rules of the Senate of Pennsylvania. The provisions of Rule 34 of the Rules of the Senate of Pennsylvania shall exclusively govern and apply in their entirety to any further proceeding involving a Senator under this rule.

(3) After receiving a recommendation from the Secretary of the Senate under paragraph (1) that a formal investigation is warranted, if the subject is a Senate employee, the President Pro Tempore, the Majority Leader and the Minority Leader shall proceed to obtain the services of an independent third party to conduct a formal investigation. Upon completion of the investigation, a report shall be prepared containing findings of fact and a conclusion as to whether a violation of these rules has occurred.

(4) After reviewing the findings of fact and the conclusion contained in the report prepared pursuant to paragraph (3) regarding a Senate employee, the President Pro Tempore, the Majority Leader and the Minority Leader shall issue a final determination by unanimous vote regarding all of the following:

- (i) Whether a violation of these rules by a Senate employee has occurred.
- (ii) Whether a sanction regarding that violation by a Senate employee is warranted.
- (iii) If a sanction is deemed warranted, the type of sanction that should be imposed.
- (iv) When and how the sanction should be imposed.

(5) During the course of an investigation of a Senate employee by the independent third party designated pursuant to paragraph (3), the subject shall have the opportunity to be heard, to present evidence, to cross-examine witnesses and to be represented by counsel.

(6) Prior to the issuance of a final determination under paragraph (4), the subject shall have an opportunity to submit a written

presentation prepared by either the subject or the subject's counsel.

(7) All proceedings under this rule shall be confidential unless otherwise waived in writing by the subject of the proceeding.

(8) If the President Pro Tempore, the Majority Leader or the Minority Leader is the subject of a report, is a witness or if for any reason is unavailable, the duties of the member shall be performed by the Senate Whip of the respective caucus.

(9) Retaliation against any Senate employee who files a written statement in good faith under subsection (a)(3) or who testifies in good faith regarding an alleged violation of these rules is prohibited.

(c) Disciplinary action.--A violation of these rules may subject a Senate employee to disciplinary action that, depending on the circumstances of the violation, may include any of the following:

- (1) A warning.
- (2) A written reprimand.
- (3) A permanent disciplinary action noted in the personnel record.

- (4) Restitution for damages.
- (5) Suspension of employment.
- (6) Termination of employment.

(d) Sanction.--A violation of these rules may subject a Senator to sanction by the full Senate and, depending on the circumstances of the violation, may include any of the following:

- (1) A warning.
- (2) A written reprimand.
- (3) Restitution for damages.
- (4) Any other sanction provided for under the Rules of the Senate of Pennsylvania or the Constitution of Pennsylvania.

Rule 4. Filing of financial interest statement.

(a) Compliance.--Compliance with the financial interest statement requirements and all other requirements under the Public Official and Employee Ethics Act, 65 Pa.C.S. Ch. 11 (relating to ethics standards and financial disclosure), shall be mandatory for all Senators and Senate employees who meet the criteria set forth in subsection (d) or (e).

(b) Time.--Financial interest statements covering the previous calendar year must be filed by May 1 of each year for every Senator and those Senate employees who make purchasing decisions or other official decisions or provide input that can influence a purchase or official decision.

(c) Location.--Senators must file their financial interest statements with the Secretary of the Senate, the Ethics Commission and any governmental agency, authority, board or commission on which they serve. Affected Senate employees must file their financial interest statements with the Secretary of the Senate.

(d) Required filing for official nonministerial action.--Filing a financial interest statement shall be required for employees who are responsible for taking or recommending official nonministerial action concerning any of the following:

- (1) Contracting or procurement.
- (2) Administering or monitoring grants or subsidies.
- (3) Planning or zoning.
- (4) Inspecting, licensing, regulating or auditing any person.
- (5) Any other activity where the official or recommended

official action has an economic impact of more than a de minimis nature on the interests of any person. For most employees on a Senator's staff or in a caucus office, this category would be most applicable, since recommending "official action" to a Senator as part of job responsibilities triggers the duty to file a financial interest statement. Official action would relate to a Senator's lawmaking duties especially as that relates to legislation and confirmations.

(e) Required filing for recommendations.--A financial interest statement must be filed if a Senate employee's responsibility includes making a recommendation to a Senator as to any of the following:

- (1) Advice regarding how to vote on the Floor or in Committee.
- (2) The potential consideration of bills, resolutions, amendments to bills or resolutions or nominations in Committee.

(3) The drafting and preparation of legislation or resolutions, and any amendments to bills or resolutions, including advice on decisions regarding bill or resolution sponsorships.

(f) Applicability.--The requirement to file a financial interest statement shall apply to executive directors, counsels or any Senate employee responsible for a Committee and to Senate chiefs of staff. Executive, administrative and legislative assistants may be subject to the filing

requirements depending on the nature and scope of the individual's employment responsibilities.

(g) Personal point of view.--A Senate employee who does nothing more than occasionally share a personal point of view with a Senator is not required to file a financial interest statement. In most cases, a Senate employee with job responsibilities not directly related to the actual lawmaking process, such as correspondence or scheduling, does not need to file a financial interest statement.

(h) District office.--A Senate employee assigned to a district office shall be subject to the same filing requirements as a Harrisburg-based Senate employee depending on the nature of that individual's employment responsibilities.

Rule 5. Training.

To assure compliance with these rules and other laws related to ethical behavior by Senators and Senate employees, appropriate training measures shall be implemented by the Senate. Training shall be provided annually for all Senators and Senate employees on various topics, which shall include, but are not limited to, all of the following:

- (1) These rules.
- (2) The Public Official and Employee Ethics Act, 65 Pa.C.S. Ch. 11 (relating to ethics standards and financial disclosure).
- (3) 65 Pa.C.S. Ch. 13A (relating to lobbying disclosure).

Rule 6. Rules.

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

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

(c) Alteration, change or amendment of rules by resolution.--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.

Senators CORMAN and COSTA, by unanimous consent, offered **Senate Resolution No. 2**, which was read, considered and adopted by voice vote:

A RESOLUTION

Adopting Financial Operating Rules of the Senate.

RESOLVED, That Financial Operating Rules of the Senate be adopted for the governing of the 201st and 202nd Regular Session. (2017-2018)

FINANCIAL OPERATING RULES OF THE SENATE

Rule 1. Personnel.

(a) Central office.--The office of the Chief Clerk of the Senate shall serve as the central office of the Senate for all personnel and payroll matters.

(b) Employees of the Senate.--

(1) Personnel files.--Before any individual is placed on any payroll of the Senate, there must be in the office of the Chief Clerk a payroll file containing:

- (i) Full name of employee.
- (ii) Full address.
- (iii) Date of employment or job transfer.
- (iv) Actual functional job title or description to include general hours of work, general job responsibilities and job location.
- (v) The name of the Senator or Officer responsible for monitoring the employee's performance.
- (vi) Letter of appointment signed by the authorizing Senator or Officer including a delineation of the account from which the employee is to be paid.
- (vii) The current compensation level with signature approval of the authorizing Senator or Officer. Overtime payments may be authorized only in emergency maintenance and security situations with the signature approvals of the Senator or Officer responsible for monitoring performance, the authorizing Senator or Officer and the President Pro Tempore.
- (viii) All information necessary for tax withholding and benefit eligibility.
- (ix) Employment Eligibility Verification Form.

(2) Maintenance.--It is the responsibility of the Chief Clerk to develop procedures necessary to maintain this payroll file information on a current basis. All payroll changes shall be reflected by the next appropriate payroll period providing said change is received in the office of the Chief Clerk prior to processing of the payroll.

(3) Reclassification of employees.--Any reclassification of employees under the Senate of Pennsylvania Pay Management Plan shall be submitted by the Senator or Officer authorizing such reclassification to the Senate Committee on Management Operations for approval or disapproval. The Senate Committee on Management Operations is authorized to establish a bipartisan subcommittee to consider and approve or disapprove all such requests subject to an appeal by the Senator or Officer for consideration of the reclassification by the Senate Committee on Management Operations.

(c) Contract for services.--

(1) Files for service contracts.--For any person retained on a contractual basis by any Officer or Senator to provide services, there shall be in the office of the Chief Clerk a file containing:

- (i) A copy of the contract signed by the authorizing Senator or Officer including:
 - (A) Full name, address and Federal tax identification number of the contractor.
 - (B) Duration of the contract.
 - (C) Maximum cost of the contract and terms of payment.
 - (D) Clear, detailed description of the type of service to be performed or product to be delivered.
- (ii) The name of the Senator or Officer responsible for monitoring the contractor's performance.
- (iii) Additional information as required by policies of the Senate Committee on Management Operations.

(2) Limitation on contracts.--Except as authorized by policies of the Senate Committee on Management Operations, no contract may extend beyond the expiration of the term of office of the Senator.

(3) Contract review.--All contracts for services shall be submitted to the Chief Clerk for review and approval regarding conformity with applicable laws, rules and policies adopted by the Senate Committee on Management Operations.

(4) Payment.--Payments under contract shall be made in accordance with provisions of the contract provided that a voucher for such payment is received in the office of the Chief Clerk before the applicable processing deadline. Contractor performance shall be reviewed by the monitoring individual designated pursuant to paragraph (1)(ii), who under conditions of satisfactory performance and conformity to the contract shall approve the voucher prior to processing.

(d) Authorized accounts.--Salaries, wages and related benefits shall be paid from accounts so authorized by the General Appropriation Act. All accounts may pay expenses related to contracts for services.

Rule 2. Travel allowances and reimbursements.

(a) Senator travel.--Travel allowances or reimbursements may be paid to a Senator who is engaged in travel in the performance of legislative duties. Except as provided in subsection (c), Senators are not authorized to lease vehicles on a long-term basis and no payments will be made with respect to long-term lease vehicle expenses incurred by Senators. Travel payments may be claimed in connection with the following:

- (1) Mileage between home district and Harrisburg for attendance at a session of the Senate.
- (2) Round trip travel between home district and Harrisburg for other legislative activities.
- (3) All travel in the Commonwealth for legislative business.
- (4) All travel to attend committee meetings, hearings, conferences and seminars.

(b) Employee travel.--Travel reimbursement may be paid to employees engaged in travel from their workplace to the place of legislative business provided that the travel is necessary for the performance of official business. Except as provided in subsection (c), employees are not authorized to lease vehicles on a long-term basis, and no payments will be made with respect to long-term lease vehicle expenses incurred by employees. When away from the Harrisburg area and from their workplace, employees may, subject to approval of the supervising Senator or officer, rent cars on a short-term basis for a period not in excess of that needed to carry out official business.

(c) Rental of vehicle or conveyance.--

(1) Short-term rental of vehicle or conveyance.--A Senator whose Senate-provided leased vehicle is unavailable may be reimbursed the actual legislative percentage expenses for a short-term rental. A Senator or employee who rents a vehicle or conveyance on a short-term basis, other than a Senator's temporary replacement of a Senate-provided leased vehicle, may be reimbursed only on an actual cost basis for the legislative percentage of rental payments and expenses of operation.

(2) Vehicle rental by Chief Clerk.--The Chief Clerk is authorized to lease such vehicles as deemed necessary by the Senate Committee on Management Operations for the operation of the Senate. The actual expenses of the lease and operation shall be paid by the Senate's Incidental Expense Account. The Chief Clerk is also authorized to enter into a master lease agreement with the Department of General Services for the long-term lease of automobiles to be used by Senators. Rules relating to the payment of expenses relating to vehicles leased through the Department of General Services to be used by Senators shall be promulgated by the Senate Committee on Management Operations.

(d) Allowable transportation expenses.--

(1) Common or chartered carrier.--A Senator or employee may be reimbursed for reasonable actual costs of carriage when traveling by common or chartered carrier, including expenses for parking, taxis, limousines and tolls. Claims for payment based on miles traveled cannot be paid.

(2) Personal vehicle or conveyance.--A Senator or employee who uses a personal vehicle may be reimbursed on such mileage basis as may be established by the Senate Committee on Management Operations. Reimbursement for use of other noncommercial vehicles or non-commercial aircraft shall be made on such basis as may be established by the Senate Committee on Management Operations.

(3) Out-of-State travel.--

(i) Nonmember Officers of the Senate and their employees may claim expenses for travel outside the Commonwealth, provided that such travel is approved in the manner described in Rule 11. All claims for Senators' and employees' travel outside the Commonwealth shall be filed with the Office of the Chief Clerk in the manner described in Rule 11.

(ii) Senators may claim ordinary and necessary expenses for travel outside the Commonwealth provided that the travel is necessary to attend a conference, seminar or meeting regularly or specially scheduled by an organization which conference, seminar or meeting has a legislative purpose. Senators shall submit a copy of a registration and agenda, in addition to any other documentation required by these rules.

(iii) Senators may also claim ordinary and necessary expenses for travel outside the Commonwealth when the travel has a legislative purpose, but is not for attending a conference, seminar or meeting, provided the purpose is approved by the Senate Committee on Management Operations, and provided further that approval is not required for legislative business in Washington, DC.

(4) No duplication.--If a Senator or employee is entitled to reimbursement from more than one source for legislative business performed on behalf of more than one committee or group, payment shall be received from only one source.

(e) Documentation.--

(1) Expense voucher.--All requests for travel payments must be made on an expense voucher showing:

(i) Dates of travel.

(ii) Legislative purpose of travel described in reasonable specificity. Claims for out-of-State travel shall also include such information as may be required under subsection (d)(3).

(iii) The number of miles traveled when claiming reimbursement on a mileage basis. Such mileage claims also should reflect an itinerary including point of origin, furthest destination, and intermediate points and the legislative purpose of the trips.

(2) Receipts.--Receipts must be submitted to support the cost associated with claims for:

(i) Travel by common or chartered carrier.

(ii) Leased vehicle or conveyance operation. Receipts for gasoline and maintenance shall include the license number of the vehicle and the location of the purchase. In addition, a copy of such lease must be on file with the Office of the Chief Clerk.

(iii) Parking, limousine, toll charges and other miscellaneous incidental items when any of these items exceeds \$25.

(f) Authorized accounts.--Travel payments can be made from any

of the following accounts. Long-term vehicle or conveyance rental payments may be made from all accounts except paragraph (5). Authorized accounts are:

(1) Appropriations Committee Accounts.

(2) Senators' Legislative Accountable Expense Accounts.

(3) Incidental Expense Account.

(4) Caucus Operations Accounts.

(5) Committee and Contingent Expenses Accounts.

(6) Computer Services Accounts.

Rule 3. Meals and lodging.

(a) General.--A Senator may receive payments attributable to ordinary and necessary expenses for meals, lodging and incidental items provided that the Senator is engaged in the performance of legislative duties. Depending on the nature and location of the activity, as explained below, payments may be made in one of the following forms: per diem allowance or reimbursement for actual costs incurred.

(b) Per diem allowance.--

(1) A per diem allowance is an allowance for meals and lodging expenses incurred in the course of a Senator's duties. It is paid in lieu of reimbursement for actual expenses. A Senator is entitled to receive a full or partial per diem allowance for each day the Senator is in the performance of legislative duties while in the Harrisburg area (defined as within Dauphin County or otherwise within a 10-mile radius of the Capitol) or elsewhere in the Commonwealth but away from home. Specific legislative duties include attendance at sessions of the Senate, attendance at official committee meetings and participation in all other activities necessary or appropriate to the carrying out of the responsibilities of the Senator. Payment of a per diem allowance is authorized only when the legislative duties performed by the Senator occur more than 50 miles from the Senator's residence.

(2) Types of per diem allowance.--

(i) A full per diem allowance not to exceed such amount as may be established by the Senate Committee on Management Operations may be claimed as an allowance for meals and lodging and is in lieu of reimbursement for actual expenses.

(ii) When the per diem entitlement derives from the performance in the Harrisburg area of the specified legislative duties set forth in paragraph (1), a Senator may receive a partial per diem allowance in accordance with policy established by the Senate Committee on Management Operations for meals and incidentals.

(c) Actual costs.--A Senator may claim actual costs for lodging, meals and other incidental items incurred in the performance of legislative duties in lieu of a per diem allowance. Expense claims for costs of lodging, meals and other incidental expenses incurred in the performance of legislative duties outside of the Commonwealth may be reimbursed on an actual expense basis or through a per diem allowance.

(d) Employees' travel.--If an employee is engaged in travel away from the normally assigned place of work necessary for the performance of official business, the employee may be reimbursed for ordinary and necessary actual expenses for lodging, meals and other incidental items. For rules regarding out-of-State travel, see Rule 11.

(e) Payment from one source.--If a Senator is entitled to a meal and lodging claim from more than one source for legislative business performed on behalf of more than one committee or group, payments shall be received from only one source.

(f) Review.--All authorized and approved meals and lodging claims shall be reviewed for inadvertent duplication by the Office of the Chief Clerk prior to processing and payment.

(g) Recordkeeping.--Where a per diem allowance or reimbursement is paid by a legislative service agency cofunded between both Houses of the General Assembly, a copy of the approved claim shall be furnished to the Office of the Chief Clerk.

(h) Documentation.--

(1) Per diem allowance.--For payment of a per diem allowance, a Senator must submit a voucher showing the date, the legislative activity in which the Senator was engaged on that date, the location of the activity and an affirmative statement that the Senator incurred overnight lodging expense.

(2) Actual expenses of a Senator or an employee.--For payment of actual expenses, a Senator or employee must submit a voucher showing the date, amount, place and the legislative activity in which the Senator or employee was engaged and must submit a vendor or credit card receipt or invoice for each item exceeding \$10. Tips for meals may not exceed 20% of the value of the meal.

(i) Authorized accounts.--

(1) Payments shall be made from the Incidental Expense Account for authorized per diem allowances only for sessions of the Senate during which a Senator is recorded as present on any roll call vote.

(2) Payment may be made from the following accounts for other authorized per diem, meal and lodging claims:

- (i) Appropriations Committee Accounts.
- (ii) Senators' Legislative Accountable Expense Accounts.
- (iii) Incidental Expense Account.
- (iv) Caucus Operations Accounts.
- (v) Committee and Contingent Expenses Accounts.
- (vi) Computer Services Accounts for actual expenses only.

Rule 4. Equipment and furnishing control and inventory.

(a) Purchases, improvements and renovations.--The Office of the Chief Clerk shall act as the sole agent for improvements or renovations to Senate facilities at the Capitol Complex and for the purchase, rental, control and inventory of durable equipment, furniture and furnishings with a useful life of one year or more and a cost greater than the limit established by the Senate Committee on Management Operations for utilization in both the Capitol and District Offices. Nonrecoverable items including, but not limited to, carpeting, draperies and air conditioners for use in and improvements or renovations to district office facilities shall be purchased pursuant to standards developed by the Senate Committee on Management Operations. The Chief Clerk shall serve as the sole agent for the purchase of United States and Pennsylvania flags.

(b) Approval of purchase or rental.--All requests for the purchase or rental of such equipment, furniture and furnishings must be reviewed and approved by the Chief Clerk.

(c) Senate inventory.--All approved requests shall be processed by the Office of the Chief Clerk, which shall maintain a full and current inventory of all durable equipment, furniture and furnishings secured on behalf of a Senator, Officer or employee of the Senate.

(d) Pricing and service.--The Chief Clerk shall take all necessary and reasonable steps to ensure that the purchase or rental of durable equipment, furniture and furnishings with a useful life of one year or more and a cost greater than the limit established by the Senate Committee on Management Operations shall be transacted at the lowest available price for the quality, compatibility, availability and service of the items being purchased or leased.

(e) Documentation required.--Required documentation shall include:

- (1) Request for purchase or rental showing:
 - (i) Date of request.
 - (ii) Item requested.
 - (iii) By whom request made.
 - (iv) Purpose.
 - (v) Signature approvals.
 - (vi) Record of subsection (d) actions taken.
- (2) Vendor's invoice or receipt detailing:
 - (i) Date of purchase or rental.
 - (ii) Vendor's identity.
 - (iii) Description of item purchased or rented.
 - (iv) Length of rental contract when applicable.
 - (v) Cost and payment terms of the purchase or rental.

(f) Authorized accounts.--Authorized accounts shall include:

- (1) Legislative and Printing Expense Account as provided in General Appropriations Act.
- (2) Computer Services Accounts for the acquisition of equipment and fixtures necessary for the implementation and administration of the respective caucus information technology systems.
- (3) Senators' Legislative Accountable Expense Accounts for the purchase of flags and for the rental of durable equipment, furniture and furnishings.

Rule 5. District office expenses.

(a) Authorized expenses.--Expenses authorized shall include:

(1) Aggregate office rental in accordance with policies as may be established by the Senate Committee on Management Operations. No Senator, nor a member of the Senator's immediate family, may have

a financial interest in a district office. For purposes of this paragraph, a financial interest shall not include ownership in a publicly traded investment vehicle, including a corporation, mutual fund, REIT or limited liability partnership in which the Senator or a member of the Senator's immediate family is not a managing partner. Prior to entering into a district office lease agreement, the Chief Clerk shall obtain and maintain a written verification from the Senator that neither the Senator nor a member of the Senator's immediate family has a financial interest in the property. This Rule shall not prohibit a district office from being located in a building in which a Senator or a member of the Senator's immediate family has a financial interest if rent, utilities or any expenses that may inure to the benefit of the property or landlord are not paid for by the Senate.

- (2) Insurance.
- (3) Printing services.
- (4) Telephone and answering services.
- (5) Postage and mailing services.
- (6) Publications and subscriptions.
- (7) Nondurable supplies.
- (8) Senator, employee and visitor parking.
- (9) Janitorial maintenance and cleaning services.
- (10) Utility services.
- (11) Other items authorized for expenses as defined in the General Appropriations Act and policies of the Senate Committee on Management Operations.

(b) Documentation required.--A copy of the district office lease indicating the amount and payment terms shall be maintained in the Office of the Chief Clerk. Vouchers shall appropriately document expenses and legislative purpose for each expenditure. Receipts or invoices shall be included for all expenditures in excess of \$25 per occurrence.

(c) Authorized accounts.--Accounts authorized include:

- (1) Senators' Legislative Accountable Expense Accounts.
- (2) Chief Clerk Employees' Salary and Expense Account.
- (3) Legislative and Printing Expense Account.
- (4) Computer Service Accounts.

Rule 6. Capitol office expenses.

(a) Types of expenses authorized.--Expenses authorized shall include:

- (1) Utility services.
- (2) Insurance.
- (3) Printing services.
- (4) Telephone and answering services.
- (5) Postage and mailing services.
- (6) Publications and subscriptions.
- (7) Nondurable supplies.
- (8) Employee parking.
- (9) Janitorial maintenance and cleaning services.
- (10) Other items authorized for expenses as defined in the General Appropriations Act and policies of the Senate Committee on Management Operations.

(b) Dissemination of literature.--The Secretary of the Senate shall provide for the publication and dissemination of educational or informational literature pertaining to the Senate of Pennsylvania, the Commonwealth of Pennsylvania or the Government of the United States.

(c) Documentation required.--Documentation required shall include vouchers appropriately documenting expenses and legislative purpose for each expenditure. Receipts or invoices shall be included for all expenditures in excess of \$25 per occurrence.

(d) Authorized accounts.--Accounts authorized include:

- (1) Legislative Printing and Expense Account.
- (2) Postage Account of Chief Clerk (for postage only).
- (3) Senators' Legislative Accountable Expense Accounts, exclusive of office rental.
- (4) Appropriations Committee Accounts, exclusive of office rental.
- (5) Caucus Operations Accounts, exclusive of office rental.
- (6) Committee and Contingent Expenses Accounts, exclusive of office rental.
- (7) Incidental Expense Account.
- (8) Computer Service Accounts, exclusive of office rental.

Rule 7. Official expenses.

(a) General.--While engaged in the performance of legislative duties, a Senator, Officer or employee expressly authorized by a Senator

may claim actual expenses as set forth below.

(b) Participation in conferences and seminars.--Expenses, such as registration fees, incurred in participating in legislative conferences and seminars may be claimed. Related travel expenses incurred are discussed in Rule 2. Related meals and lodging expenses incurred are discussed in Rule 3.

(c) Conducting meetings.--Expenses attributable to conducting legislative meetings or performing official duties may be claimed. Such expenses may include:

(1) Food and refreshment which are ordinary to the performance of a Senator's legislative duties, and for which there is a legislative purpose. In general, these expenses will be incurred during, immediately preceding or immediately following a substantial and bona fide legislative business discussion.

(2) Meeting room rental.

(3) Incidental items.

(d) Documentation.--

(1) Participation in conferences and seminars.--Vouchers shall show the amount, date, place and legislative purpose. An agenda, and a registration form or other receipts, must be attached.

(2) Meeting expenses.--Vouchers of meeting expenses shall include documentation regarding the amount, date, place and legislative purpose. If a meeting expense is claimed by a Senator or employee, the portion of the voucher amount attributable to that Senator or employee shall be indicated. A receipt or invoice shall be attached to the voucher.

(3) Official duty expenses.--Vouchers shall show or reference to records which show the amount, date, place, legislative purpose and if claimed by a Senator or employee, the portion of the amount attributable to the expense. Restaurant, hotel or credit card receipt or invoices must be attached.

(4) Claims by Senate employees.--Vouchers involving any official expenses claimed by Senate employees shall reflect formal authorization by the supervising Senator or Officer.

(e) Authorized accounts.--Payments shall be made from the following accounts:

(1) Appropriations Committee Accounts.

(2) Incidental Expense Account.

(3) Caucus Operations Accounts.

(4) Committee and Contingent Expenses Accounts.

(5) Senators' Legislative Accountable Expenses Accounts.

(6) Computer Service Accounts.

Rule 8. Special expenses.

(a) Authorized expenses.--Expenses authorized include:

(1) Flowers, baskets of fruit or other appropriate items or memorial contributions to designated charities not to exceed the amount established by the Senate Committee on Management Operations. Recipients are limited to instances of death or serious illness for Senators, Officers, employees or their immediate families, or former Senators or their immediate families, or deceased retired Senate employees, or dignitaries including both incumbent or former elected or appointed officials or their immediate families.

(2) Rental of common carrier and other expenditures inherent thereto for attendance at funerals of a Senator or members of a Senator's immediate family, former Senators, dignitaries, or Officers.

(b) Documentation required.--Documentation required shall include a receipt or vendor invoice showing: recipient, instance, description of items delivered, date delivered and cost.

(c) Authorized accounts.--Payment shall be made only from Contingent Expense Accounts or the Incidental Expense Account.

Rule 9. Miscellaneous expenses of standing and special committees.

(a) Committee proceedings.--Rental of meeting rooms and hearing facilities and payments to qualified court reporters or stenographers to record the proceedings authorized by the chairman of a standing or special committee of the Senate, including the cost of transcripts. Witnesses served with a subpoena to testify before such proceedings shall be paid witness fees and travel expenses as provided by Section 5903 of the Judicial Code.

(b) Printing and mailing.--Committee printing and mailing costs for mailings relating to legislative business.

(c) Publications and subscriptions.--Publications and subscriptions.

(d) Documentation required.--Vouchers or vendors receipts or invoices stating vendor's name, services or amount of postage, date, place, and total amount due or paid. Postage purchases shall require a receipt from the Postmaster.

(e) Authorized accounts.--Accounts authorized include:

(1) Appropriations Committee Accounts.

(2) Caucus Operations Accounts.

(3) Committee and Contingent Expenses Accounts.

Rule 10. Senate Committee on Management Operations.

(a) Duties.--In addition to duties imposed by law or otherwise by these rules, the duties of the Senate Committee on Management Operations shall be:

(1) To arbitrate a decision of the Secretary or Chief Clerk of the Senate relating to these Rules, in the event that a Senator, Officer or employee shall disagree with a decision of the Secretary or Chief Clerk of the Senate.

(2) To make a final decision in case of a dispute on a question of legislative intent or legislative purpose regarding an expenditure.

(3) To make a continuing review of these Rules as to expenditures and the reporting of expenditures, and, from time to time, to make such recommendations as are appropriate.

(4) To adopt clarifications to these Rules through interim policy determinations.

(b) Records.--A record of the committee's decisions shall be maintained. The Chief Clerk shall be responsible for maintaining such records.

Rule 11. Out-of-State travel.

(a) Request for approval.--No nonmember Officer of the Senate or any employee of any nonmember Officer shall be reimbursed nor shall any of his or her expenses be paid for any travel outside the Commonwealth unless such travel has been approved by the Executive Committee or a majority of the membership of the Senate Committee on Management Operations. All requests for such approval shall be made to the Chief Clerk, and shall include information relating to the destination, the estimated cost of such travel, the number of days involved, and the relationship that the travel has to the duties of the Officer or employee making the request. In the case of an employee, the request shall also be approved by the Officer.

(b) Time limit for filing.--A copy of any request for reimbursement or for the payment of any expenses relating to out-of-State travel by a Senator or employee assigned to a Senator shall be filed with the Office of the Chief Clerk within 30 days of such travel. Copies of these requests shall be made available for public inspection in the Office of the Chief Clerk in accordance with the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

Rule 12. List of employees and document access.

(a) Publication and distribution.--

(1) The Chief Clerk shall publish quarterly a listing of all employees of the Senate and its Officers, Committee Chairmen, and Senators and all persons holding contracts for services with the Senate or any of its Officers, Committee Chairmen and Senators. The list for employees shall contain the full name of the employee, the job title of the employee, the compensation of the employee, and the name of the Senator or Officer for such employee. For persons holding contracts for services with the Senate, the list shall contain the name of the contractor, the address of the contractor, a statement of the nature of the duties of the contractor, and the fee of the contractor as well as the name of the Senator or Officer responsible for monitoring the performance of the contractor.

(2) The list shall be published by February 1, for the quarter ending December 31; by May 1, for the quarter ending March 31; by August 1, for the quarter ending June 30; and by November 1, for the quarter ending September 30. The list shall be available for public inspection in the Office of the Chief Clerk in accordance with the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

(b) Public inspection of vouchers and requisitions.--All vouchers and requisitions relating to all expenditures, expenses, disbursements and other obligations out of all appropriated funds of the Senate shall be available for public inspection in accordance with the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law. Payroll and contracts for services shall also be made available for public inspection in accordance with the Right-to-Know Law.

(c) Copies of records.--Copies of financial records maintained in the Office of the Chief Clerk shall be made available in accordance with the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

Rule 13. Personnel policies.

(a) Preparation of rules and regulations.--The Senate Committee

on Management Operations created pursuant to Section 1.1 of Act No. 417 of 1967 is authorized to prepare and adopt rules and regulations for uniform personnel policies and procedures, job specification and pay plans including periodic increments for Senate Officers and employees.

(b) Approval of rules and regulations.--Each such rule or regulation or any amendment thereto shall be prepared in resolution form and shall be placed on the Senate calendar for final approval or disapproval. The committee may when approved by at least five Members of the committee including both Floor Leaders implement such rules and regulations pending final Senate consideration of them. Such resolution shall have the force and effect of law in accordance with its terms when it has been approved by the full Senate.

Rule 14. Operations Manual.

(a) Preparation and approval.--The Chief Clerk shall prepare an Operations Manual of all rules, regulations, policies and procedures which are promulgated by the Senate Committee on Management Operations.

(b) Distribution.--Upon approval, applicable sections of the Operations Manual shall be posted on the Chief Clerk's Intranet site for access by all Senators, Senate Officers and Senate employees.

(c) Maintenance and updating.--The Chief Clerk shall be responsible for maintaining and updating this manual as a result of revisions or amendments promulgated by the Senate Committee on Management Operations.

Rule 15. Effect and duration.

(a) Current policies.--Policies of the Senate Committee on Management Operations in effect on the date of the adoption of these rules are hereby ratified and approved by the Senate.

(b) Applicability.--These rules provide guidance to Senators, Senate Officers and Senate employees in performing their duties in the Senate. The changes contained in these rules are to be applied prospectively and are not intended to reflect on the propriety of past rules or practices of the Senate or its Senators, Officers or employees.

(c) Rules.--These rules shall be in full force and effect until altered, changed, amended or repealed as provided in Rule 16.

Rule 16. Changes to rules.

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

Rule 17. Procedure for changing rules.

All alterations, changes or amendments to these rules shall be by resolution which shall not be considered until first referred to and reported from the Committee on Rules and Executive Nominations.

Senators CORMAN and COSTA, by unanimous consent, offered **Senate Resolution No. 3**, which was read, considered and adopted by voice vote:

A RESOLUTION

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

RESOLVED, That the following be adopted as the Rules of the Senate for the governing of the 201st and 202nd Regular Session.
(2017-2018)

RULES OF THE SENATE OF PENNSYLVANIA

Rule 1. Sessions.

(a) Regular and special.--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. II, Sec. 4)

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

Rule 2. President.

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

Rule 3. Duties of the President.

The President shall:

(1) Take the chair on every legislative day at the hour to which the Senate stands recessed, immediately call the Senators to order, and

proceed with the Order of Business of the Senate.

(2) 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 Leader and the Minority Leader, recess the Senate. Such recess shall not extend beyond the limitation imposed by Article II, section 14 of the Constitution.

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

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

(5) 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.

(6) 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 of the Senate; and the fact of signing shall be entered in the Journal on the next available session day.

(7) 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.

Rule 4. President Pro Tempore.

(a) Election.--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. II, Sec. 9)

(b) Voting.--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.

Rule 5. Duties of President Pro Tempore.

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

(1) Appoint the Chair, Vice Chair and members of the 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 Tempore:

(1) Direct the following functions:

- (i) Amending bills in the Senate.
- (ii) Preparing and publishing the Senate Calendar.
- (iii) Publication of the Senate History.
- (iv) Numbering Senate bills as they are introduced and causing them to be distributed to the chair of the committee to which they are referred and receiving a receipt for the same.
- (v) Printing of bills.

(2) 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.

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

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

(5) 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.

(6) Supervise the Senate Library, assist Senators by making reference material available to them and perform any duties assigned to the Senate Librarian by any statute.

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

(8) 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.

(9) Post the Legislative Journal of the Senate on the Internet website maintained by the Senate upon approval of the Journal or within 60 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."

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

(a) Election.--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.

(b) Duties.--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 Employes 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.

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

The Chief Sergeant-at-Arms shall:

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

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

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

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

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

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

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

(8) Announce, upon recognition by the presiding officer, all

important communications and committees.

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

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

Rule 9. Order of Business.

(a) General rule.--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 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.

Sixth Approval of Journals of preceding session days.

Seventh Offering of original resolutions.

Eighth Introduction of Guests.

Ninth Consideration of the Calendar. Any bill or resolution on the Calendar not finally acted upon within 10 legislative days shall be removed from the Calendar and laid on the table, unless the Senate shall otherwise direct.

Tenth Consideration of Executive Nominations.

Eleventh Unfinished Business. Reports of Committees. Unanimous consent resolutions. 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 Announcements by the Secretary-Parliamentarian.

Fourteenth Introduction of Petitions and Remonstrances.

Fifteenth Recess.

(b) Special order of business.--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.

Rule 10. Order and decorum.

(a) Recognition.--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 at a microphone located on the Floor of the Chamber.

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

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

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

(e) Decorum.--When a Senator is speaking, no other person shall pass between the Senator and the presiding officer.

(f) Order and privilege.--No Senator speaking shall be interrupted except by a call to order, a question of privilege, a question of order or 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.

(g) Questions of order.--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 is 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.

(h) Question when interrupted.--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 sine die.

(i) Use of tobacco products.--No tobacco products, including cigarettes, cigars, pipes and chewing tobacco, shall be used in the Senate

Chamber or in Senate Committee Rooms.

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

Rule 11. Motions.

(a) Putting a motion.--When a motion is made, it shall, before debate, be stated by the presiding officer. Every motion made to the Senate and entertained by the presiding officer shall be entered in the Journal with the name of the Senator making it. A motion may be withdrawn by the Senator making it before amendment, postponement, an order to lay on the table or decision.

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

- (1) Adjourn sine die.
- (2) Recess.
- (3) Previous question.
- (4) Recess temporarily within the same session day.
- (5) Questions of privilege of the Senate.
- (6) Orders of the day.
- (7) Lay on the table.
- (8) Limit, close or extend limit on debate.
- (9) Postpone.
- (10) Commit or recommit.
- (11) Amend.
- (12) Main motion.

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

- (1) Adjourn sine die.
- (2) Recess.
- (3) Recess temporarily within the same session day.
- (4) Previous question.
- (5) Lay on the table.
- (6) Orders of the day.
- (7) Limit, close or extend limit on debate.

(d) Motions which permit limited debate.--

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

(2) 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.

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

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

(f) Recessing and convening.--

(1) A motion to recess shall always be in order, except, 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.

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

(3) 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.

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

(g) Motion for previous question.--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.

(h) Motion to lay on table.--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.

(i) Motion to take from table.--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.

(j) Reconsideration.--

(1) 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.

(2) 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.

(3) 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 voting session of the Senate thereafter.

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

(5) When a bill, resolution, report, amendment, order, or communication, upon which a vote has been taken, shall have gone out of the possession of the Senate and been sent 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.

Rule 12. Bills.

(a) Passage of bills.--

(1) 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. III, Sec. 1)

(2) 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 Appropriations Committee shall make a fiscal note reflecting the impact of the amendment available to the Senators.

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

(c) Form of bills.--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. III, Sec. 3)

(d) Consideration of bills.--Every bill shall be considered on three different days in each House. All amendments made thereto shall be available pursuant to Rule 13(a)(2) for the use of the members before the final vote is taken on the bill. Upon written request addressed to the presiding officer of the Senate by at least 25% of the Members elected to the Senate, 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. III, Sec. 4)

(e) Local and special bills.--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 30 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. III, Sec. 7)

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

(g) Appropriation bills.--

(1) 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. III, Sec. 11)

(2) 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 21 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. III, Sec. 29)

(h) Charitable and educational appropriations.--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. III, Sec. 30)

(i) Land transfer legislation.--

(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 Chair 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.

(2) No amendment granting or conveying Commonwealth land or taking title thereto shall be considered by the Senate unless there has been filed with the Secretary-Parliamentarian and the Chair of the committee reporting the bill 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, the senatorial district or districts in which the land is located and 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 amendment under consideration. The sponsor of the amendment may request the memorandum from the Department of General Services.

(j) Consideration during second regular session.--All bills, joint resolutions, resolutions, concurrent resolutions or other matters pending before the Senate upon the recess 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.

(k) Introduction.--All bills shall be introduced in quadruplicate. 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 filed with the Secretary-Parliamentarian for introduction.

(l) Character of bills to be introduced.--No Member shall introduce, 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.

(m) Printing of amended bills.--

(1) 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.

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

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

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

(p) Third consideration and final passage.--

(1) The following apply:

(i) 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. The names of the Senators voting for and against shall be recorded, entered in the Journal and posted on the Internet website maintained by the Senate. No bill shall be declared passed unless a majority of all Senators elected to the Senate shall be recorded as voting for the same.

(ii) 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.

(iii) 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.

(iv) 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.

(2) The following apply:

(i) 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 made available to the Senators.

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

(q) Prefiling of bills, joint resolutions and resolutions.--Any Senator or Senator-elect may file bills, joint resolutions and resolutions 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, joint resolutions and resolutions and shall have them available for distribution. Upon the naming of the committees of the Senate at the convening of a First Regular Session, the President Pro Tempore shall refer all prefiled measures to the proper committee within 14 calendar days.

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

(s) Referral to committee by President Pro Tempore.--Every bill, joint resolution and resolution introduced by a Senator or received from the House of Representatives shall be referred by the President Pro Tempore to the appropriate committee within 14 calendar days. Upon referral, the Secretary-Parliamentarian of the Senate shall deliver the 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 available for distribution.

Rule 13. Amendments.

(a) 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 Reading Clerk and stated by the presiding officer to the Senate before being acted upon. Amendments shall be presented with at least four typewritten copies obtained through the Legislative Reference Bureau, which shall have the Sponsor identified. 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 take 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 take an amendment from the table is not debatable and shall have the same precedence as the motion to amend.

(b) Amendments reconsidering; revert to prior print.--Amendments adopted or defeated may not be again considered without reconsidering the vote by which the 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 the bill until a copy of the reverted printer's number is made available to the Senators.

(c) Concurrence in House amendments.--

(1) The following apply:

(i) 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. III, Sec. 5)

(ii) 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 is made available to the Senators.

(2) The following apply:

(i) 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 communication by the Reading Clerk. The consideration of any bill or resolution containing House amendments may include the amendment of House amendments only 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 the 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.

(ii) 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 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.

Rule 14. Committees.

(a) Standing committees.--

(1) There shall be the following permanent standing committees, the Chair, the Vice Chair and members thereof to be appointed by the President Pro Tempore as soon as possible after the election of the President Pro Tempore 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 caucus composition of the Senate membership.

- Aging and Youth -- 11 members
- Agriculture and Rural Affairs -- 11 members
- Appropriations -- 23 members
- Banking and Insurance -- 14 members
- Communications and Technology -- 11 members
- Community, Economic and Recreational Development -- 14 members
- Consumer Protection and Professional Licensure -- 14 members
- Education -- 11 members
- Environmental Resources and Energy -- 11 members
- Finance -- 11 members
- Game and Fisheries -- 11 members
- Health and Human Services -- 11 members
- Intergovernmental Operations -- 11 members
- Judiciary -- 14 members
- Labor and Industry -- 11 members
- Law and Justice -- 11 members
- Local Government -- 11 members

- Rules and Executive Nominations -- 17 members
- State Government -- 11 members
- Transportation -- 14 members
- Urban Affairs and Housing -- 11 members
- Veterans' Affairs and Emergency Preparedness -- 11 members

(2) Subcommittees. Each standing committee or the chair 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. A subcommittee may hold public hearings only with the prior permission of its standing committee. 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.

(b) Members-ex-officio.--

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

(2) 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.

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

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

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

(1) 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 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 is authorized to require public officials and employees and private individuals to appear before the standing committee for the purpose of submitting information to it.

(2) In order to carry out its duties, each standing committee 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.

(3) In order to carry out its duties, each standing committee may issue subpoenas, 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 the committee. The chair may administer oaths and affirmations in the manner prescribed by law to witnesses who shall appear before the committee to testify.

(e) Notice of meetings.--

(1) The following apply:

(i) The Chair of a committee or, in the absence of the Chair, the Vice Chair, with the approval of the Chair, shall provide each member of the committee with written notice of committee meetings, which shall include the date, time and location of the meeting and the number of each bill, resolution or other matter which may be considered. During session, notice of meetings of standing committees shall be published daily. Notice shall be delivered by the Chair to the Secretary-Parliamentarian's office on a form prescribed by the Secretary-Parliamentarian of the Senate by the end of the session on the day preceding its intended publication.

(ii) Whenever the Chair of any standing committee shall refuse to call a regular meeting, then a majority plus one of the 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, any such meeting shall comply with all provisions of 65 Pa.C.S. Ch. 7 (relating to open meetings) relative

to notice of meetings.

(iii) 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 Chair to include the same as part of the business of a committee meeting. Should the Chair refuse 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 the committee is entitled.

(2) A committee meeting, or hearing for which notice has not been published as provided in paragraph (1), may be held during a session only if approval is granted by the Majority Leader and the Minority Leader and if notice of the bills to be considered is given during session.

(f) Bills recommitted.--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.

(g) Public meetings or hearings.--

(1) The following apply:

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

(ii) The Chair 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).

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

(h) Quorum of committee.--A committee 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 bill, resolution or other matter to the Floor for action by the whole Senate.

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

(j) Discharging committees.--

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

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

Rule 15. Committee officers.

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

(b) Calling committee to order.--The Chair or, if authorized by the Chair, the Vice Chair, 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.

(c) Chair control of the committee room.--The Chair or, if authorized by the Chair, the Vice Chair, 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 Chair or, if authorized by the Chair, the Vice Chair, may cause the same to be cleared. The use of cell phones and similar portable communication devices within any Senate committee room by other than members of the Senate or their staffs is strictly prohibited.

(d) Chair's authority to sign documents and decide questions of order.--The Chair shall sign all notices, vouchers, subpoenas or reports

required or permitted by these Rules. The Chair shall decide all questions of order relative to parliamentary procedure, subject to an appeal by any member of the committee.

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

(f) Performance of duties by Vice Chair.--Upon the death of the Chair, the Vice Chair 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 Chair, the Vice Chair shall perform the Chair's duties.

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

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

Rule 16. Committee members.

Members, attendance and voting shall be as follows:

(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 direct personal, private or pecuniary interest.

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

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

Rule 17. Committee voting.

Taking the vote shall be as follows:

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

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

Rule 18. Motions in committees.

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

Rule 19. Conference Committees.

(a) Composition.--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.

(b) Deliberations.--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.

(c) Report of Conference Committee.--

(1) 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 each committee comprising the Committee of Conference. Every report of a Committee of Conference shall be printed together with the bill as amended by the committee, shall be made available to the Senators and shall be 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.

(2) 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 finally adopted by the Senate.

(d) Adoption of Conference Committee report.--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. III, Sec. 5)

Rule 20. Voting.

(a) Senators must be present.--Every Senator shall be present within the Senate Chamber during the sessions of the Senate and shall

be recorded as voting on each question stated from the Chair which requires a roll call vote unless the Senator is on leave, is duly excused or is unavoidably prevented from attending session. The refusal of any Senator to vote as provided by this Rule shall be deemed a contempt of the Senate.

(b) Voting required.--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, unless the following applies:

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

(2) Legislative leave.--A Senator who is performing a legislative duty outside of the Harrisburg area may, upon request during session, be granted a Legislative Leave by the Senate and 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. The Legislative Leave request shall be communicated to the Senator's respective Whip for transmission to the respective Floor Leader prior to the beginning of a roll call vote. All written Legislative Leave requests shall be transmitted by the respective Floor Leaders to the Secretary-Parliamentarian of the Senate for retention in accordance with Rule 6(c)(3) within 24 hours of the conclusion of the legislative day in which leave was requested.

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

(4) Personal leave.--A Senator who is absent for any purpose other than those set forth in these Rules may be granted a personal leave. A Senator on personal leave shall not be voted on any question before the Senate or on any question before any committee of the Senate. A Senator requesting personal leave shall submit a leave request to the Senator's respective Floor Leader who shall transmit the request to the Secretary-Parliamentarian of the Senate on behalf of the Senator requesting leave within 24 hours of the conclusion of the legislative day in which leave was requested.

(c) Excused from voting.--

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

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

(d) Changing vote.--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.

(e) Persons allowed at desk during roll call.--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.

(f) Two-thirds vote.--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.

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

(h) Majority vote.--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.

(i) Announcement of vote.--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.

(j) Explanation of vote.--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.

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

(l) Verifying vote.--Any Senator may demand a verification of a vote immediately upon the completion of a roll call or after the announcement of the 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.

(m) Voice vote.--Unless otherwise ordered, demanded or required, 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.

Rule 21. Correspondents.

(a) Admission to Senate Press Gallery.--Admission to the Senate Press Gallery shall be limited to members in good standing of the Pennsylvania Legislative Correspondents' Association and to other members of the press as determined by the President Pro Tempore. Seating shall be available on a first-come basis.

(b) Photographs in Senate Chamber.--

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

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

(c) Order and decorum of press.--

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

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

Rule 22. Radio and television.

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

(b) Broadcasting session.--Nothing in this Rule shall be construed to prohibit any licensed radio station or television station from broad-

casting a session from the Senate or any part thereof; Provided, That the signal originates from the Senate-operated audio-visual system which transmits Senate session activity to the offices in the Main Capitol and environs.

Rule 23. Video feed and audio feed.

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

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

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

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

(b) Sessions provided free of charge.--

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

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

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

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

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

(f) Other recording prohibited.--

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

(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.

(g) Violations.--Any violation of this Rule shall be dealt with as

directed by the Committee on Rules and Executive Nominations.

(h) Official record.--The video feed and audio feed provided by the Senate shall not constitute an official record of Senate actions. The official record of Senate actions shall be contained in the Journals prepared by the Secretary-Parliamentarian of the Senate and approved by the Senate.

Rule 24. Who privileged to the Floor of the Senate.

(a) Admission during session.--With the exception of the Senate Gallery and Senate Press Gallery, no person shall be admitted within the Senate Chamber during Senate sessions, unless invited by the President Pro Tempore or the Majority Leader or Minority Leader. During session, authorized staff with access to the Senate Chamber shall be limited and shall be restricted to the area immediately adjacent to the Majority Leader's and Minority Leader's desks. Advice to Senators during debate shall be allowed only when the Senator is using the microphones at the Majority Leader's and Minority Leader's desks.

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

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

Rule 25. Rules.

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

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

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

(d) Alteration, change or amendment of Rules by resolution.--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 and Executive Nominations Committee.

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

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.

Rule 27. Quorum.

(a) Majority constitutes a quorum.--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. II, Sec. 10)

(b) When less than a quorum is present.--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 presiding officer to order the doors of the Senate to be closed, and to direct the Reading Clerk to call the roll of the Senate and note the absentees after which the names of the absentees shall be again called. A Senator whose absence is not excused, or for whom an insufficient excuse is made, may by order of a majority of the Senators present be sent for and taken into custody by the Chief Sergeant-at-Arms, or assistant sergeants-at-arms appointed for the purpose. Any unexcused Senator shall be brought before the bar of the Senate, where the Senator, unless excused by a majority of the Senators present, shall be publicly reprimanded by the presiding officer for neglect of duty.

(c) When less than a quorum vote but are present.--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 presiding officer 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 presiding officer shall again order the yeas and nays; and, if any Senator present refuses to vote, the name or names of such Senator shall be entered on the Journal as "Present but not voting." Such refusal to vote shall be deemed a contempt; and, unless purged, the presiding officer shall direct the Chief Sergeant-at-Arms to bring the Senator before the bar of the Senate, where the Senator shall be publicly reprimanded by the presiding officer.

Rule 28. Executive nominations.

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

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

(c) Consideration.--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, the nomination or nominations shall be considered until finally disposed of, unless the same shall be postponed by a majority of the Senate.

(d) Executive session.--When in executive session, no communication 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.

(e) Reconsideration.--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 voting 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.

Rule 29. Resolutions.

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

(b) Consideration.--The following resolutions, after being 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 the resolutions may be called up under the appropriate order of business:

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

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

(3) Resolutions giving rise to debate, except those that relate to the disposition of matters immediately before the Senate, those that relate to the business of the day on which they were offered, and those that relate to adjournment sine die or a recess.

(c) Printing in Senate History.--

(1) Congratulatory resolutions 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.

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

(d) Joint Resolutions.--

(1) 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.

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

Rule 30. General access to the Senate Floor prohibited.

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

Rule 31. Veto.

(a) Passing over veto.--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. IV, Sec. 15)

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

Rule 32. Division of a question.

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 indivisible.

Rule 33. Coordination with other Senate Rules.

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

Rule 34. Committee on Ethics.

(a) Composition.--In addition to the committees created by Rule 14, there shall be a Senate Committee on Ethics 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.

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

(1) The President Pro Tempore shall appoint one of the Majority Party members as Chair and, on the recommendation of the Minority Leader, one of the Minority Party members as Vice Chair. 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.

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

(3) Except as provided in subsection (j), all 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.

(4) 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.

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

(1) be submitted in writing;

(2) be sworn or affirmed by the person filing the complaint; and

(3) detail the alleged unethical conduct in question and specify the Rule, statute or constitutional provision allegedly violated.

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

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

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

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

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

(i) Alternative procedure.--In addition to action on formal complaints as provided in subsection (c), a majority of the members of the Senate Committee on Ethics may initiate a preliminary investigation of suspected unethical conduct in violation of a Senate Rule, statute or constitutional provision governing the ethical conduct of a Senator. If it is determined by a majority of the members of the committee that a violation may have occurred, the Senator in question shall be notified in writing of the alleged unethical conduct in question and the Rule, statute or constitutional provision allegedly violated. Within 15 days of the receipt of this information, the Senator may file a written answer with the committee. The lack of an answer shall not be deemed to be an admission or create an inference or presumption that the complaint is true. The lack of an answer shall not prohibit a majority of the members of the committee from either proceeding with a formal investigation or dismissing the complaint. The committee shall have 30 days from the date that receipt of the answer to the complaint is to be provided to complete its preliminary investigation. For good cause, a majority of the members of the committee may vote to grant an additional 30 days to complete the committee's review. Upon conclusion of the preliminary investigation, by vote of a majority of the members of the committee, the committee shall determine whether to proceed with a formal investigation, which may include hearings. In the event that the committee

vote is equally divided, the question falls.

(j) Closed session.--The committee shall conduct its preliminary investigations, hearings and meetings related to a specific investigation or a specific Senator in closed session unless the Senator subject to investigation advises the committee in writing that the Senator wants such meetings or hearings to be held publicly. In the event that the Senator in question makes such a request, the committee shall furnish the Senator with a public meeting or hearing.

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

(1) The Chair of the Senate Committee on Ethics may continue any hearing for reasonable cause. Upon the vote of a majority of the members of the committee, or upon the request of the Senator subject to investigation, the Chair 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 Chair of the committee may administer oaths or affirmations, examine and receive evidence, or rule on any objections raised during the course of a hearing.

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

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

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

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

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

(l) Report.--No report regarding unethical conduct by a Senator shall be made to the Senate unless a majority of the members of the Senate Committee on Ethics determines that a finding of unethical conduct in violation of a Senate Rule, statute or constitutional provision governing the ethical conduct of a Senator has occurred. No finding of unethical conduct by a Senator in violation of a Senate Rule, statute or constitutional provision governing the ethical conduct of a Senator adopted by the Senate Committee on Ethics shall be valid unless signed by at least a majority of the members of the committee. Any such report may include a minority report. A report adopted by the committee that contains findings of unethical conduct by a Senator in violation of a Senate Rule, statute or constitutional provision governing the ethical conduct of a Senator shall not be filed with the Secretary-Parliamentarian of the Senate or released to the public until at least seven days after a copy of the report is sent by certified mail to the Senator under investigation.

(m) Distribution of report.--After the expiration of the seven-day notice requirement contained in subsection (l), the Senate Committee on Ethics shall file its report with the Secretary-Parliamentarian of the Senate, who shall cause a copy of the report of the committee to be distributed to the members of the Senate. The report of the Senate Committee on Ethics shall be placed on the Senate Calendar and shall be acted upon by the Senate within 10 legislative days of the adoption of a temporary rule setting forth rules of procedure for the orderly disposition of the report by the full Senate. A vote by a majority of the mem-

bers elected to the Senate shall be necessary to adopt each finding set forth in the Ethics Committee Report.

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

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

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

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

(q) Costs and expenses.--Whenever the committee shall employ independent counsel to conduct a preliminary or formal investigation or shall incur other expenses pursuant to its duties pursuant to 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 of the Senate upon submission of vouchers and necessary documentation. The vouchers shall be signed by both the Chair and Vice Chair 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.

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

(a) Status generally.--When an indictment is returned against a member of the Senate, and the gravamen of the indictment is directly related to the Senator's conduct as a committee chair, ranking minority committee member or in a position of leadership, the Senator 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.

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

(c) Resolution of expulsion.--Upon a finding or verdict of guilt by a judge or jury, a plea or admission of guilt or plea of nolo contendere of a crime by a member of the Senate, 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 session, which shall appear on the Calendar on the next legislative session day following an imposition of sentence based upon a determination or admission of guilt or a plea of nolo contendere.

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

(a) Suspension.--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, the officer or employee shall be suspended immediately without pay and benefits by the Chief Clerk of the Senate. After a finding or a verdict of guilt by a judge or jury, plea or admission of guilt, or plea of nolo contendere, and upon imposition of sentence, the employment shall be terminated.

(b) Termination of suspension.--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 the officer or employee earned from other employment during the period of suspension.

(c) Appeal.--If the officer or employee or the supervising Senator of such employee disagrees with the decision of the Chief Clerk of the Senate 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 of the employee may appeal the suspension to the Senate Committee on Ethics, 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.

Rule 37. Affiliation with nonprofit entities.

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

- (1) Be a legal entity formed under the laws of this Commonwealth or another state that is qualified for nonprofit status.
- (2) Have a formally established board of directors with at least four members that is fully accountable for the nonprofit entity's overall operation.
- (3) Have a written set of bylaws or rules, approved by its board of directors, that establishes its composition and governance process.
- (4) Require official action of the board of directors to be approved and executed in a manner consistent with its bylaws or rules.
- (5) Not receive grant funding directly from the Commonwealth that comprises its sole source of operational funding.

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

- (1) Exercise sole and unilateral control of a final action of the nonprofit entity regarding allocation or disbursement of grant funding that the nonprofit entity receives directly from the Commonwealth.
- (2) Direct a Senate employee to staff or provide services to the nonprofit entity as a condition of employment.
- (3) Direct the personnel or other resources of the nonprofit entity for the benefit of a Senator's campaign.
- (4) Commingle funds from any Senate expense account with the funds of the nonprofit entity with the knowledge and intent that those funds are to be used for the direct reimbursement of expenses incurred by that nonprofit entity.
- (5) Maintain a Senate district office within or contiguous to the same office as the nonprofit entity.

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

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

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

"Affiliated." Serving:

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

"Family member." A spouse or child.

"Nonprofit entity." An entity that is qualified by the Internal Revenue Service as meeting the requirements of section 501(c) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 501(c)).

**ANNOUNCEMENT OF MAJORITY
AND MINORITY LEADERSHIP**

The PRESIDENT. The Chair has been informed by the Republican Caucus of its officers: as Majority Leader, Senator Corman of Centre County; as Whip, Senator Gordner of Columbia County; as Caucus Chair, Senator Mensch of Montgomery County; as Caucus Secretary, Senator Alloway of Franklin County; as Caucus Administrator, Senator McIlhinney of Bucks County; as Appropriations Chair, Senator Browne of Lehigh County; and as Policy Committee Chair, Senator Argall of Schuylkill County.

The Chair has also been informed by the Democratic Caucus of its officers: as Minority Leader, Senator Costa of Allegheny County; as Whip, Senator Williams of Philadelphia County; as Caucus Chair, Senator Fontana of Allegheny County; as Caucus Secretary, Senator Farnese of Philadelphia County; as Caucus Administrator, Senator Blake of Lackawanna County; as Appropriations Chair, Senator Hughes of Philadelphia County; as Policy Committee Chair, Senator Boscola of Northampton County; and as Appropriations Vice Chair, Senator Schwank of Berks County.

STATEMENT BY THE PRESIDENT

The PRESIDENT. We are ready to notify the House that the Senate is organized.

SENATE RESOLUTION

NOTIFICATION TO THE HOUSE

Senator SCAVELLO, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 3, 2017

RESOLVED, That a committee of three Senators be appointed to inform the House of Representatives that the Senate is organized in Regular Session and ready to proceed to business.

**APPOINTMENT OF COMMITTEE
TO NOTIFY THE HOUSE**

The PRESIDENT. Pursuant to the resolution just adopted, the Chair wishes to announce the following committee to notify the House that the Senate is organized: the gentleman from Lancaster County, Senator Aument, as chair; the gentleman from Delaware County, Senator Killion; and the gentlewoman from Berks County, Senator Schwank.

The committee will leave immediately to discharge its duties.

SENATE RESOLUTION

**NOTIFICATION TO HIS EXCELLENCY
THE GOVERNOR**

Senator GORDNER, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 3, 2017

RESOLVED, That a committee of three Senators be appointed to inform His Excellency, the Governor of the Commonwealth of Pennsylvania, that the Senate is convened and organized in Regular Session and ready to receive any communications he may be pleased to make.

**APPOINTMENT OF COMMITTEE
TO NOTIFY THE GOVERNOR**

The PRESIDENT. Pursuant to the resolution just adopted, the Chair wishes to announce the following committee to notify the Governor that the Senate is organized: the gentleman from Bucks County, Senator Tomlinson, as chair; the gentleman from Bucks County, Senator McIlhinney; and the gentleman from Philadelphia County, Senator Street.

The committee will leave immediately to discharge its duties.

SENATE RESOLUTIONS ADOPTED

**THANKS OF THE SENATE TENDERED TO
FATHER GEORGE JOHNSON FOR HIS PRAYER**

Senator MENSCH, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 3, 2017

RESOLVED, That the thanks of the Senate is hereby tendered to Father George Johnson for his services as Chaplain of the Senate this day.

**THANKS OF THE SENATE TENDERED TO THE
HONORABLE SALLIE UPDYKE MUNDY FOR
ADMINISTERING THE OATH OF OFFICE TO
NEWLY-ELECTED REPUBLICAN SENATORS,
THE PRESIDENT PRO TEMPORE, AND
OFFICERS OF THE SENATE**

Senator RESCHENTHALER, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 3, 2017

RESOLVED, That the thanks of the Senate is hereby tendered to The Honorable Sallie Updyke Mundy, Justice of the Supreme Court of Pennsylvania, for her services in qualifying the newly-elected and re-elected Republican Senators and Officers.

**THANKS OF THE SENATE TENDERED TO
THE HONORABLE KEVIN M. DOUGHERTY
FOR ADMINISTERING THE OATH OF OFFICE
TO NEWLY-ELECTED DEMOCRATIC SENATORS**

Senator BLAKE, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 3, 2017

RESOLVED, That the thanks of the Senate is hereby tendered to The Honorable Kevin M. Dougherty, Justice of the Supreme Court of Pennsylvania, for his services in qualifying the newly-elected and re-elected Democratic Senators.

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

Senator CORMAN offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 3, 2017

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene the week of Monday, January 23, 2017, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene the week of Monday, January 23, 2017, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the Secretary of the Senate present the same to the House of Representatives for concurrence.

JOINT SESSION

Senator BROWNE, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 3, 2017

RESOLVED, (the House of Representatives concurring), That the Senate and House of Representatives meet in Joint Session on Tuesday, January 3, 2017 in the Hall of the House of Representatives for the purpose of witnessing the opening, counting and computing of the official returns of the election for Attorney General, Auditor General, and State Treasurer, held on Tuesday, November 8, 2016, in the several counties of the Commonwealth.

Ordered, That the Secretary of the Senate present the same to the House of Representatives for concurrence.

SENATE RESOLUTION

TELLER TO COMPUTE AND COUNT VOTES FOR ATTORNEY GENERAL, AUDITOR GENERAL, AND STATE TREASURER

Senator ALLOWAY, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 3, 2017

RESOLVED, That the gentleman from Lycoming County, Senator Yaw, be appointed Teller on the part of the Senate, for the purpose of witnessing the opening, computing, and counting of the votes for Attorney General, Auditor General and State Treasurer.

SENATE RESOLUTION ADOPTED

Senators STREET, EICHELBERGER, DINNIMAN, SCAVELLO, BREWSTER, SABATINA, FONTANA, GREENLEAF, HAYWOOD, WILLIAMS, TARTAGLIONE, LEACH, COSTA, FARNESE, SCHWANK, BLAKE, BOSCOLA, YUDICHAK, HUGHES, BARTOLOTTA, VULAKOVICH, VOGEL, RAFFERTY and RESCHENTHALER, by unanimous consent, offered **Senate Resolution No. 4**, entitled:

A Resolution designating the week of January 16 through 22, 2017, as "Dr. Martin Luther King, Jr., Holiday Week" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Philadelphia, Senator Street.

Senator STREET. Mr. President, first, I thank my colleagues who remained to hear this. Dr. Martin Luther King, a fellow Morehouse College man, did not die fighting a civil rights battle. He did not die fighting just for black people or minority groups. He died during the poor people's campaign, a campaign to make sure that sanitation workers and regular people had an opportunity to make a decent wage to sustain their family. I think that the sentiments that drove people to support the poor people's campaign were not so different than the sentiments that drove people to come out and support President Obama, and interestingly enough, not different than the sentiments that drove many Pennsylvanians to support Donald Trump. They are the sentiments of people who are basically ordinary people who were trying to make sure they had a chance to have a decent wage and a decent standard of living. So, I ask Members to vote for this resolution and I ask all Pennsylvanians to consider and think about what we can do to make ordinary people's lives a little bit better.

The PRESIDENT. The Chair thanks the gentleman for very important and apropos remarks.

And the question recurring,
Will the Senate adopt the resolution?

A voice vote having been taken, the question was determined in the affirmative.

HOUSE NOTIFIES SENATE IT IS ORGANIZED

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present the Chair of the committee from the House of Representatives, Representative Mark Mustio.

The PRESIDENT. Thank you, Sergeant-at-Arms. Representative Mustio, welcome.

Representative MUSTIO. Mr. President, we have been appointed as a committee by the House to inform the Senate the House is organized and is ready to proceed with the business of the Session.

The PRESIDENT. We thank you, Representative Mustio, and you have a very intelligent and attractive looking committee with you. We thank you for coming. The Chair thanks the committee from the House of Representatives.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTIONS

The Clerk of the House of Representatives informed the Senate that the House has concurred in the resolutions from the Senate, entitled:

Weekly recess and Joint Session.

RECESS

The PRESIDENT. The time has come in our order of business to assemble in the Hall of the House of Representatives for a Joint Session. The Chair requests that all guests remain seated until the Members of the Senate leave for the House. This will eliminate considerable confusion and facilitate our movement to the House. The Chair thanks our guests.

The Members of the Senate will please form a line in the center aisle immediately behind the Sergeant-at-Arms in order that we may proceed to the Joint Session.

The Chair now declares a recess of the Senate for one-half hour.

AFTER RECESS

The PRESIDENT. The time of recess having expired, the Senate will come to order.

UNFINISHED BUSINESS CONGRATULATORY RESOLUTIONS

The PRESIDENT laid before the Senate the following resolutions, which were read, considered, and adopted by voice vote:

Congratulations of the Senate were extended to Dr. George F. Harpster, Jr., Saint Paul African Methodist Episcopal Zion Church of Gettysburg and to Pohlman Family Farm by Senator Alloway.

Congratulations of the Senate were extended to Mark C. Neidert, Joseph G. Groody, Zachary Scott Shenk, Josh Wentzel and to the citizens of the Borough of New Ringgold by Senator Argall.

Congratulations of the Senate were extended to Mr. and Mrs. John Anne, Jr., Chief Allen Pettyjohn, Edna John, Elizabeth J. Stepp, Jean Weaver, Robert F. Pegoretti, Carson Burkman, Richard R. Winter, Arlene J. Bajkowski, David E. Keese, Jean C. Tierney, Janet A. Johnson, William C. Smith, Helen M. Martzall, George P. Meissner, Ryan J. Haas, Mavrick M. Henry, Jeffrey D. Espenshade, Peter W. F. Nodyne, Emmett Charles Orgass and to Martin Kessler by Senator Aument.

Congratulations of the Senate were extended to the Genzlinger family, Michael Nalesnik and to Viola Ruelke Gommer by Senator Baker.

Congratulations of the Senate were extended to Jim Wills by Senators Baker and Yudichak.

Congratulations of the Senate were extended to Mary D'Elia Marrara and to Lawrence C. Malski by Senator Blake.

Congratulations of the Senate were extended to Nicholas Hamel by Senator Boscola.

Congratulations of the Senate were extended to Lillian Ann Bowley by Senator Brooks.

Congratulations of the Senate were extended to Lorraine Mary Roth, Leona A. Cramsey, Paul S. Bucko, Rosemary M. Lenahan and to Ruth M. Weidner by Senator Browne.

Congratulations of the Senate were extended to Mr. and Mrs. Donald G. Apple, Steven V. Manbeck, Philip C. Lucas, Jr., Thomas J. Young, Sera Mazza, Chase Stalvey, members and coaches of the Saint Joseph's Catholic Academy Girls' Cross Country Team and to Trinity United Methodist Church of Bellefonte by Senator Corman.

Congratulations of the Senate were extended to Bethany Jordan Comp by Senators Corman and DiSanto.

Congratulations of the Senate were extended to Congregation Beth Shalom and to members and coaches of the Steel Valley High School Football Team by Senator Costa.

Congratulations of the Senate were extended to Mr. and Mrs. Elias King, Liam Congleton, Gavin Linn, Sara Manning and to Marsden Family Farm by Senator Dinniman.

Congratulations of the Senate were extended to Richard K. May and to Brandywine Valley SPCA by Senators Dinniman and Killion.

Congratulations of the Senate were extended to Technical Sergeant Scott A. Kline, Clarence W. Rebuck, Marie Mortensen and to the citizens of the Borough of Elizabethtown by Senator DiSanto.

Congratulations of the Senate were extended to Tim Surkovich and to Aaron Sweger by Senator Eichelberger.

Congratulations of the Senate were extended to Dr. Marianne T. Bartley, Master Sergeant Chip Koons, Quinten R. Spangler and to Estella Eshleman by Senator Folmer.

Congratulations of the Senate were extended to Joshua Marzak by Senator Gordner.

Congratulations of the Senate were extended to Kyler Keith Grimes, Brennan Finbar Coleman, Marie Tommins and to T. Howard Dicker by Senator Greenleaf.

Congratulations of the Senate were extended to Dr. and Mrs. Lewis Brown, Michael Levitsky, Michael Garvin, Brian McNamara and to Joseph Avallone by Senator Haywood.

Congratulations of the Senate were extended to Timothy A. Reese by Senators Haywood and Hughes.

Congratulations of the Senate were extended to Mr. and Mrs. Kenneth Flick, Mr. and Mrs. Henry Smrekar, Mr. and Mrs. Lee Brown, Mr. and Mrs. William Smith, Mr. and Mrs. Ralph A. Pincek, Anthony Tomko, Francis Daniel Popp and to William W. W. Thompson by Senator Hutchinson.

Congratulations of the Senate were extended to Jonathan Roth, Jack William Ryder, Ian Templeton Wade, Colin Patrick Fulmer and to Daniel Kamowski by Senator Killion.

Congratulations of the Senate were extended to George Kunkel, Lourdes Padilla and to Martin Family Farm by Senator Martin.

Congratulations of the Senate were extended to Richard E. John by Senator McIlhinney.

Congratulations of the Senate were extended to members and coaches of the Council Rock North High School Boys' Cross Country Team by Senators McIlhinney and Tomlinson.

Congratulations of the Senate were extended to Joshua Michael Robert Trauger, Charles Haddad, Rose Zadlo and to Zack Boyd by Senator Mensch.

Congratulations of the Senate were extended to Quentin Sam Cordaro, Gregory J. Woodward, Andrew Michael Nelson, Dariel Alexie Velez-Rodriguez, Jacob Eric Hanning, Alexander Grant Kabrich, Rebecca M. Woodward, Susan L. Ward, Joseph Ermatinger and to members and coaches of the Spring-Ford Youth Athletic League 9-and-Under Baseball Team by Senator Rafferty.

Congratulations of the Senate were extended to Trooper John Clifford by Senators Rafferty and Dinniman.

Congratulations of the Senate were extended to Goodwill Ambulance Transport by Senators Rafferty and Mensch.

Congratulations of the Senate were extended to Nicholas Eugene Miller, Nicholas Frank Kambic, Ryan Christopher Kambic, Andrew D. Barron, James Hart, Carole Procope, Marlene L. Brown, Jerome H. Koerner, Kyle Horn, Jacob Allen Kurtz and to Lobar, Inc., by Senator Regan.

Congratulations of the Senate were extended to Colonel Thomas S. Jess and to Christine Lazzini by Senator Reschenthaler.

Congratulations of the Senate were extended to Sister Mary Anne Basile, Robert Drennen, Thomas Filer and to Gerald V. Micciulla by Senator Sabatina.

Congratulations of the Senate were extended to John Lee and to Robert Bakos by Senators Sabatina and Tartaglione.

Congratulations of the Senate were extended to Mr. and Mrs. Terry Lawson, Patricia Battitori, Ronald Hugh Holt, Weston Hrin, Domtar Paper Company and to Cooper Tire & Auto by Senator Scarnati.

Congratulations of the Senate were extended to the Pennsylvania State Civil Service Commission by Senator Scarnati and others.

Congratulations of the Senate were extended to Mr. and Mrs. Paul Schuchman, Dr. Gregory J. Menio, Leona M. Cheslock, Kate Newman, Scott R. Wetmore, Michael Sabo, Peter C. Goss, Sherwood Shoemaker, Craig Detweiller, Robert D. Lohman, Larry M. Lobb, Vincent E. Buccarella, William A. Uhrig and to East Stroudsburg University Foundation by Senator Scavello.

Congratulations of the Senate were extended to Most Reverend Joseph C. Bambera by Senators Scavello and Blake.

Congratulations of the Senate were extended to Laura Haffner by Senators Scavello, Browne, and Boscola.

Congratulations of the Senate were extended to Joanne Redmond Denworth, Mark Edward Andrus, Mike Sarbaugh, Mary Ann Zerkowski, Nathan Strause and to Birdsboro Rotary Club by Senator Schwank.

Congratulations of the Senate were extended to Cecelia Amato, Lorenzo's Cafe and Espresso, Barbera Autoland, Friends Hospital and to Avenue Chiropractic by Senator Tartaglione.

Congratulations of the Senate were extended to Sister Maureen Patricia Ryan, Eileen Finley, John King, Frank Watson, Charles W. Anderson, Jr., George F. Anderson, Hugh Cooperman, Brent Michael Reilly, Clyrie Snyder, Sally J. Miller, Gertrude M. Gryniwicz, Gloria F. McNulty, Kenyatta Jones, Frederick R. Black, Gary S. Dunbar, Tom Stanton, John V. Labor, Dave Cummings, William B. Meredith, Rachel Clemens, Amy Pine McQuibben, Jackie Andreozzi, Ashley Fisher, Allison Nemeth Wunsch, Kimberly Rubin Hammond, Odell Jones, Mark Ozoroski, Bill Vergantino, Jeff Baun, Jessica White, Andrew Foley, Georgianna Ramella, Jean Lippincott, Dawn Love and to Gerald Wydro by Senator Tomlinson.

Congratulations of the Senate were extended to Merrill Reese by Senators Tomlinson, Corman, and Leach.

Congratulations of the Senate were extended to Reverend and Mrs. Kevin J. Lee, Lonnie Vodenichar, Christopher A. Both, Catherine Colalella, Ronail Denise Allen, William H. Harris, Jr., Donna Hubbard, Lucille Nesmith and to Zachary J. Allison by Senator Vogel.

Congratulations of the Senate were extended to Brian Carnprobst, Dan Stack, Ronald W. Monper, Jr., Mike Delucia,

Steve Wehrspann, Melanie Zeitler, Nick Kaiser, Dave LaCovey, Frank Libson, Benjamin Gettens and to John Ryan O'Sullivan by Senator Vulakovich.

Congratulations of the Senate were extended to James Gregorich and to Ronald Moyer by Senator Ward.

Congratulations of the Senate were extended to Madison Glenn by Senator White.

Congratulations of the Senate were extended to Mr. and Mrs. Fred Miller Harbaugh, Mr. and Mrs. Richard Montei and to members and coaches of the Lewisburg Area High School Boys' Soccer Team by Senator Yaw.

Congratulations of the Senate were extended to Marcella Wizowski and to Sue Ann Cervasio by Senator Yudichak.

Congratulations of the Senate were extended to Denise Sokirka by Senators Yudichak and Baker.

CONDOLENCE RESOLUTIONS

The PRESIDENT laid before the Senate the following resolutions, which were read, considered, and adopted by voice vote:

Condolences of the Senate were extended to the family of the late Robert E. Biesecker by Senator Alloway.

Condolences of the Senate were extended to the family of the late Susan Marie Williams, to the family of the late H. Jeremy Packard, to the family of the late John Wilkes, Sr., to the family of the late Martha Marie Nicotera Gumble, to the family of the late Ann E. Balavage, to the family of the late Robert W. Brown, to the family of the late John E. Marshall, to the family of the late Joan Terese Ritts, to the family of the late Geraldine Smith, to the family of the late Sally Eno Soden, to the family of the late Richard R. Bartholomew, to the family of the late Miriam W. Kreitner, to the family of the late Dan Patrick Downey, to the family of the late Barbara Ann Gregory Simms and to the family of the late Artemis Veras Pyros by Senator Baker.

Condolences of the Senate were extended to the family of the late John Lignelli by Senator Bartolotta.

Condolences of the Senate were extended to the family of the late Paul K. Martinez by Senator Boscola.

Condolences of the Senate were extended to the family of the late Honorable John R. Hoerner and to the family of the late Robert K. Ayers by Senator Folmer.

Condolences of the Senate were extended to the family of the late Terrell L. Bruce, to the family of the late Edward Bradley and to the family of the late Margaret Bertha West Freeman by Senator Haywood.

Condolences of the Senate were extended to the family of the late Virginia J. Vandegrift, to the family of the late Grace E. Ewer, to the family of the late Patricia D. Demusz, to the family of the late Anthony Pettit and to the family of the late Dominic Eugene Liples by Senator McIlhinney.

Condolences of the Senate were extended to the family of the late Anne P. Seltzer by Senator Schwank.

Condolences of the Senate were extended to the family of the late Blair M. Gower by Senator Tomlinson.

Condolences of the Senate were extended to the family of the late John A. Garner, Jr., by Senator Wagner.

Condolences of the Senate were extended to the family of the late London Jordan Storey, to the family of the late Elliotte Marcus Jenkins, Jr., to the family of the late Delores Capers, to the family of the late Richard T. Hamilton III, to the family of

the late Anna Louise Batts and to the family of the late LeRoy Robinson, Jr., by Senator Williams.

POSTHUMOUS CITATION

The PRESIDENT laid before the Senate the following citation, which was read, considered, and adopted by voice vote:

A posthumous citation honoring the late Eric Bristow was extended to the family by Senator Tomlinson.

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

The PRESIDENT laid before the Senate the following communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Rules and Executive Nominations:

MEMBER OF THE COUNCIL OF TRUSTEES OF CLARION UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

December 1, 2016

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, James L. Kifer, 159 Long Lane East, Rimersburg 16248, Clarion County, Twenty-first Senatorial District, for reappointment as a member of the Council of Trustees of Clarion University of Pennsylvania of the State System of Higher Education, to serve for a term of six years, and until his successor is appointed and qualified.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF PSYCHOLOGY

December 1, 2016

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen A. Latanishen, 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Psychology, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Steven Cohen, Southampton, whose term expired.

TOM WOLF
Governor

SECRETARY OF ENVIRONMENTAL PROTECTION

December 9, 2016

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Patrick McDonnell, 4205 Ridge Drive, Harrisburg 17109, Dauphin County, Fifteenth Senatorial District,

for appointment as Secretary of Environmental Protection, to serve until the third Tuesday of January 2019, and until his successor is appointed and qualified, vice The Honorable John Quigley, Camp Hill, resigned.

TOM WOLF
Governor

MEMBER OF THE BOARD OF GOVERNORS OF THE STATE SYSTEM OF HIGHER EDUCATION

December 9, 2016

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Shaina M. Hilsey, 23 Glover Drive, Garnet Valley 19060, Delaware County, Ninth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Sara Dickson, Clarion, graduated.

TOM WOLF
Governor

MEMBER OF THE BOARD OF GOVERNORS OF THE STATE SYSTEM OF HIGHER EDUCATION

December 9, 2016

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Logan L. Steigerwalt, 112 Meadow Lane, Northampton 18067, Northampton County, Eighteenth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Chelsea Getsy, California, graduated.

TOM WOLF
Governor

MEMBER OF THE BOARD OF GOVERNORS OF THE STATE SYSTEM OF HIGHER EDUCATION

December 9, 2016

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Brian Swatt, 301 Washington Avenue, Jermyn 18433, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Todd Garrett, Mercer, graduated.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF CRANE OPERATORS

December 14, 2016

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Elise Claire Schell, 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Crane Operators, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Jack Pletcher, Scottsdale, resigned.

TOM WOLF
Governor

JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

December 14, 2016

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Mary K. Topper, Esq., 223 Pine Street, Apt. 3A, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, Philadelphia County, to serve until the first Monday of January 2018, vice The Honorable Mark I. Berstein [*sic*], resigned.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF NURSING

December 14, 2016

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Damien M. Bower, 813 North 2nd Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Nursing, to serve for a term of six years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice John O'Donnell, Pittsburgh, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

December 14, 2016

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Damien M. Bower, 813 North 2nd Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Optometry, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Marla Moon, State College, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

December 14, 2016

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Elise Claire Schell, 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Optometry, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Richard Hawley, Camp Hill, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

December 14, 2016

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Mary K. Topper, Esquire, 223 Pine Street, Apartment 3A, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Optometry, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Karl Streilein, Erie, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE REGISTRATION BOARD
FOR PROFESSIONAL ENGINEERS, LAND
SURVEYORS, AND GEOLOGISTS

December 14, 2016

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen A. Latanishen, 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Registration Board for Professional Engineers, Land Surveyors, and Geologists, to serve for a term of six years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Robert Ford, Bryn Mawr, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE REGISTRATION BOARD
FOR PROFESSIONAL ENGINEERS, LAND
SURVEYORS, AND GEOLOGISTS

December 14, 2016

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr., 901 Capital Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Registration Board for Professional Engineers, Land Surveyors, and Geologists, to serve for a term of six years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Hiram Ribblett, Johnstown, whose term expired.

TOM WOLF
Governor

PROTHONOTARY AND CLERK OF COURTS,
BERKS COUNTY

December 14, 2016

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Damien M. Bower, 813 North 2nd Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as Prothonotary and Clerk of Courts, Berks County, to serve until the first Monday of January 2018, vice The Honorable Marianne Sutton, resigned.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF SOCIAL
WORKERS, MARRIAGE AND FAMILY THERAPISTS,
AND PROFESSIONAL COUNSELORS

December 14, 2016

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen A. Latanishen, 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Social Workers, Marriage and Family Therapists, and Professional Counselors, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Mandy Fauble, Meadville, resigned.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF VEHICLE
MANUFACTURERS, DEALERS, AND SALESPERSONS

December 14, 2016

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Mary K. Topper, Esquire, 223 Pine Street, Apartment 3A, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers, and Salespersons, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Dan Murphy, Bryn Mawr, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF VEHICLE
MANUFACTURERS, DEALERS, AND SALESPERSONS

December 14, 2016

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr. (Public Member), 901 Capital Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers, and Salespersons, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Rene Barczak, Philadelphia, resigned.

TOM WOLF
Governor

**CORRECTIONS TO NOMINATIONS
REFERRED TO COMMITTEE**

The PRESIDENT laid before the Senate the following communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Rules and Executive Nominations:

MEMBER OF THE STATE BOARD
OF CRANE OPERATORS

December 15, 2016

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

Please note that the letter dated December 14, 2016, for the nomination of Elise Claire Schell, 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Crane Operators, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Jack Pletcher, Scottsdale, resigned, should be corrected to read:

Elise Claire Schell, 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Crane Operators, to serve until December 8, 2020, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Jack Pletcher, Scottsdale, resigned

TOM WOLF
Governor

JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

December 15, 2016

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

Please note that the letter dated December 14, 2016, for the nomination of Mary K. Topper, Esq., 223 Pine Street, Apt. 3A, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, Philadelphia County, to serve until the first Monday of January 2018, vice The Honorable Mark I. Berstein [*sic*], resigned, should be corrected to read:

Mary K. Topper, Esq., 223 Pine Street, Apt. 3A, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, Philadelphia County, to serve until the first Monday of January 2018, vice The Honorable Mark I. Bernstein, resigned.

TOM WOLF
Governor

GENERAL COMMUNICATIONS

ANNUAL AUDITED FINANCIAL STATEMENTS OF THE COMMONWEALTH FINANCING AUTHORITY

The PRESIDENT laid before the Senate the following communications, which were read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA
Department of Community and Economic Development
Harrisburg, PA 17120

As required by the Pennsylvania Consolidated Statutes, Title 64, Chapter 15, enclosed is the Commonwealth Financing Authority audited financial statements.

INDEPENDENT AUDITORS' REPORT
Zelenkofske Axelrod LLC
830 Sir Thomas Court, Suite 100
Harrisburg, PA 17109

October 25, 2016

To the Executive Director and Management
Pennsylvania eHealth Partnership Authority
402-A Finance Building
613 North Street
Harrisburg, Pennsylvania 17120

We have audited the financial statements of the Pennsylvania eHealth Partnership Authority (the "Authority"), a component unit of the Commonwealth of Pennsylvania, for the year ended June 30, 2016. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated July 18, 2016. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the Authority are described in Note 1 to the financial statements. As discussed in Note 1 to the financial statements, in 2016, the Authority adopted the provisions of Governmental Accounting Standards Board's Statement No. 72, "Fair Value Measurement and Application", Statement No. 76, "The Hierarchy of Generally Accepted Accounting Principles for State and Local Governments", and Statement No. 79, "Certain External Investment Pools and Pool Participants". The adoption of these statements had no effect on previously reported amounts of the Authority. We noted no transactions entered into by Authority during the year for which there is a lack of authoritative guidance or consensus. All material transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. In 2016, there were no sensitive estimates affecting the Authority's financial statements.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting the financial statements were:

The disclosure of the Retirement Benefits and Postemployment Benefits other than Pensions in Notes 3 and 4 to the financial statements are based upon information provided by an actuary.

The financial statement disclosures appear neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. No such adjustments existed for the year under audit.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated October 25, 2016.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the Authority's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the Authority's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to the Schedule of Authority's Proportionate Share of the Net Pension Liability and the Schedule of Authority's Contributions, which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

Restriction on Use

This information is intended solely for the information and use of the Executive Director and management of the Pennsylvania eHealth Partnership Authority and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,

ZELENKOFKSKE AXELROD
LLC

The PRESIDENT. This report will be filed in the Library.

INDEPENDENT FISCAL OFFICE'S ASSESSMENT OF THE STATE'S FISCAL CONDITION AND PROJECTION

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA
Independent Fiscal Office
Second Floor, Rachel Carson State Office Building
400 Market Street
Harrisburg, Pennsylvania 17105

November 16, 2016

December 14, 2016

The Honorable Joseph B. Scarnati, III
President Pro Tempore
Senate of Pennsylvania
291 Main Capitol Building
Harrisburg, PA 17120

The Honorable Mike Turzai
Speaker
Pennsylvania House of Representatives
139 Main Capitol Building
Harrisburg, PA 17120

Dear Sirs:

Enclosed please find a copy of the Independent Fiscal Office's assessment of the state's current fiscal condition and a projection of what the fiscal condition will be during the next five years. The enclosed report, entitled *Economic and Budget Outlook: Fiscal Years 2016-17 to 2021-22*, was produced in accordance with section 604-B(a)(2) of the Administrative Code of 1929.

Sincerely,

MATTHEW J. KNITTEL
Director

The PRESIDENT. This report will be filed in the Library.

ANNUAL REPORT ON THE WIRETAPPING AND ELECTRONIC SURVEILLANCE CONTROL ACT

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

Supreme Court of Pennsylvania
Fulton Building, 16th Floor
200 North Third Street
Harrisburg, PA 17101

December 9, 2016

Ms. Megan Martin
Secretary - Parliamentarian of the Senate
Commonwealth of Pennsylvania
462 Main Capitol Building
Harrisburg, PA 17120

Dear Ms. Martin:

In accordance with Section 5723(d) of the Wiretapping and Electronic Surveillance Control Act, 18 Pa.C.S. §5723(d), I forward herewith the required annual report.

Sincerely,

THOMAS G. SAYLOR

The PRESIDENT. This report will be filed in the Library.

AUDITOR GENERAL'S CERTIFICATE

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA
Department of the Auditor General
Harrisburg, PA 17120-0018

The Honorable Joseph Scarnati
President Pro Tempore
Senate of Pennsylvania
292 Main Capitol Building
Harrisburg, Pennsylvania 17120

Dear Senator Scarnati:

In accordance with the provisions of Article VIII, Section 7(a)(4) of the Constitution of the Commonwealth of Pennsylvania and Section 304 of the Capital Facilities Debt Enabling Act (Act 1 of 1999, as amended), I am providing you with the accompanying certification in connection with the general obligation bond sale of December 7, 2016.

A duplicate original of the Auditor General's Certificate is enclosed.

Sincerely,

EUGENE A. DePASQUALE
Auditor General

AUDITOR GENERAL'S CERTIFICATE
Pursuant to
ARTICLE VIII, Section 7(a)(4)
of the
CONSTITUTION OF PENNSYLVANIA
and
Section 304 of the Capital Facilities Debt Enabling Act

To the Governor and the General Assembly:

I, Eugene A. DePasquale, Auditor General of the Commonwealth of Pennsylvania, pursuant to Article VIII, Section 7(a)(4) of the Constitution of the Commonwealth of Pennsylvania and Section 304 of the Capital Facilities Debt Enabling Act (Act 1 of 1999, as amended), certify as follows:

The amount of outstanding net debt
as of December 16, 2016 \$11,242,364,500

The difference between the limitation
upon all net debt outstanding as provided
in Article VIII, Section 7(a)(4) of the
Constitution of the Commonwealth
of Pennsylvania and the amount of
outstanding net debt as of
December 16, 2016 \$54,079,245,554

IN TESTIMONY WHEREOF, I have hereto set my hand and affixed the seal of the Auditor General, this 14th day of December 2016.

EUGENE A. DePASQUALE
Auditor General
Commonwealth of Pennsylvania

The PRESIDENT. This report will be filed in the Library.

2015-16 ANNUAL REPORT OF THE PENNSYLVANIA TREASURY 529 COLLEGE SAVINGS PROGRAM

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA
Treasury Department
607 South Drive, Suite 529
Harrisburg, Pennsylvania 17120

January 3, 2017

Dear Fellow Pennsylvanians:

On behalf of the Tuition Account Program Advisory Board, I am pleased to present the annual report of the Pennsylvania 529 College Savings Program (PA 529) for fiscal year 2015-16. PA 529 continues to meet the legislative intent of the program - providing families an effective way to make higher education a reality.

Since its inception, more than 88,000 students have utilized the PA 529 program to help pay their college bills. The program has paid over \$2.4 billion to cover qualified higher education expenses, and of that amount, \$653 million were earnings on contributions - a gain of 36 percent.

In the past fiscal year, PA 529 demonstrated strong results: the total number of accounts increased by 3.8 percent from the previous year and the assets under management grew to \$3.8 billion. Growth was hindered by the delayed passage of the state budget which curtailed the program's marketing activities during the first half of the fiscal year. This contributed to a 10 percent decrease in the number of new accounts opened and a modest increase in contributions of just under one percent. However, it is important to note that nearly 208,000 people currently have a PA 529 account - more than twice as many as five years ago.

Importantly, the actuarial funded status of the PA 529 Guaranteed Savings Plan (GSP) improved, reaching 113.7 percent at the end of the fiscal year. This was the fourth consecutive year the GSP Fund was more than fully funded. Because of the strong actuarial status, PA 529 was able to refund and waive fees for the third year in a row - allowing approximately \$5 million to remain and grow in owners' accounts. Additionally, the strong financial status of the GSP Fund and the moderate rise in tuition inflation during the last few years allowed the premiums for the University of Pittsburgh, the Pennsylvania State University and the State-Related University Average tuition levels to be reduced from five percent to 2.5 percent for academic year 2016-17 and retroactively eliminated for academic year 2015-16.

While we are pleased with the program's success, more must be done to ensure that all Pennsylvanians with the interest and ability to obtain higher education can do so without relying on overwhelming debt. For that to happen, Pennsylvania should encourage more families to use the program by providing the Commonwealth's explicit backing of the PA 529 GSP's guarantee. Additionally, PA 529's competitive disadvantage can be eliminated by providing a state tax deduction solely for contributions to Pennsylvania's college savings program. We also recommend that the Commonwealth provide more resources to support efforts to increase awareness of PA 529 so that every Pennsylvania family with a potential student knows how the program can make college affordable. Finally, the Commonwealth should offer a modest tax credit to employers that match their employees' PA 529 contributions.

PA 529 is already assisting thousands of Pennsylvanians to pay for college. Taking these actions would strengthen an already successful program and help even more Pennsylvanians make their dream of higher education a reality.

Yours in service,

TIMOTHY A. REESE
State Treasurer

The PRESIDENT. This report will be filed in the Library.

**DESIGNATION OF MAJORITY CHAIRMEN
OF STANDING COMMITTEES**

The PRESIDENT. The Chair wishes to announce the President pro tempore has made the following designations:

Senator Michele Brooks as Chairman of the Committee on Aging and Youth.

Senator Elder A. Vogel, Jr., as Chairman of the Committee on Agriculture and Rural Affairs.

Senator Pat Browne as Chairman of the Committee on Appropriations.

Senator Don White as Chairman of the Committee on Banking and Insurance.

Senator Ryan Aument as Chairman of the Committee on Communications and Technology.

Senator Mario Scavello as Chairman of the Committee on Community, Economic and Recreational Development.

Senator Robert M. Tomlinson as Chairman of the Committee on Consumer Protection and Professional Licensure.

Senator John Eichelberger as Chairman of the Committee on Education.

Senator Gene Yaw as Chairman of the Committee on Environmental Resources and Energy.

Senator Scott Hutchinson as Chairman of the Committee on Finance.

Senator Pat Stefano as Chairman of the Committee on Game and Fisheries.

Senator Lisa Baker as Chairman of the Committee on Health and Human Services.

Senator Camera Bartolotta as Chairman of the Committee on Intergovernmental Operations.

Senator Stewart J. Greenleaf as Chairman of the Committee on Judiciary.

Senator Kim Ward as Chairman of the Committee on Labor and Industry.

Senator Charles T. McIlhinney, Jr., as Chairman of the Committee on Law and Justice.

Senator Scott Wagner as Chairman of the Committee on Local Government.

Senator Jake Corman as Chairman of the Committee on Rules and Executive Nominations.

Senator Mike Folmer as Chairman of the Committee on State Government.

Senator John C. Rafferty, Jr., as Chairman of the Committee on Transportation.

Senator Tom McGarrigle as Chairman of the Committee on Urban Affairs and Housing.

Senator Randy Vulakovich as Chairman of the Committee on Veterans Affairs and Emergency Preparedness.

**DESIGNATION OF MINORITY CHAIRMEN
OF STANDING COMMITTEES**

The PRESIDENT. The Chair wishes to announce the Minority Leader has made the following designations:

Senator Art Haywood as Minority Chairman of the Standing Committee on Aging and Youth.

Senator Judy Schwank as Minority Chairman of the Standing Committee on Agriculture and Rural Affairs.

Senator Vincent Hughes as Minority Chairman of the Standing Committee on Appropriations.

Senator Sharif Street as Minority Chairman of the Standing Committee on Banking and Insurance.

Senator Art Haywood as Minority Chairman of the Standing Committee on Communications and Technology.

Senator Larry Farnese, Jr., as Minority Chairman of the Standing Committee on Community, Economic and Recreational Development.

Senator Lisa Boscola as Minority Chairman of the Standing Committee on Consumer Protection and Professional Licensure.

Senator Andrew Dinniman as Minority Chairman of the Standing Committee on Education.

Senator John Yudichak as Minority Chairman of the Standing Committee on Environmental Resources and Energy.

Senator John Blake as Minority Chairman of the Standing Committee on Finance.

Senator Jim Brewster as Minority Chairman of the Standing Committee on Game and Fisheries.

Senator Judy Schwank as Minority Chairman of the Standing Committee of Health and Human Services.

Senator Anthony Williams as Minority Chairman of the Standing Committee on Intergovernmental Operations.

Senator Daylin Leach as Minority Chairman of the Standing Committee on Judiciary.

Senator Christine Tartaglione as Minority Chairman of the Standing Committee on Labor and Industry.

Senator Jim Brewster as Minority Chairman of the Standing Committee on Law and Justice.

Senator John Blake as Minority Chairman of the Standing Committee on Local Government.

Senator Jay Costa as Minority Chairman of the Standing Committee on Rules and Executive Nominations.

Senator Anthony Williams as Minority Chairman of the Standing Committee on State Government.

Senator John Sabatina, Jr., as Minority Chairman of the Standing Committee on Transportation.

Senator Wayne Fontana as Minority Chairman of the Standing Committee on Urban Affairs and Housing.

Senator Jay Costa as Minority Chairman of the Standing Committee on Veterans Affairs and Emergency Preparedness.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

The PRESIDENT. The Chair wishes to announce the President pro tempore has made the following appointments:

Senator E. Eugene Yaw as a member of the Board of Directors of the Center for Rural Pennsylvania.

Ms. Michelle A. Brown as Staff Administrator for the Majority Caucus.

APPOINTMENT BY THE MINORITY LEADER

The PRESIDENT. The Chair wishes to announce the Minority Leader has made the following appointment:

Mr. Anthony Lepore as Staff Administrator to the Senate Democratic Caucus.

TRANSCRIPT OF SWEARING-IN PROCEEDINGS OF SENATOR JOSEPH B. SCARNATI III

The PRESIDENT laid before the Senate the following transcript of the ceremony that took place in the Senate Chamber on November 30, 2016, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA SENATE OF PENNSYLVANIA

In re: Swearing-in Proceedings of Senator-elect
Joseph B. Scarnati III, President pro tempore

Stenographic report of proceedings
held in Senate Chamber, Main Capitol
Building, Harrisburg, Pennsylvania

Wednesday
November 30, 2016
10:10 a.m.

HONORABLE RYAN P. AUMENT, Presiding

JUDGE P. KEVIN BROBSON, Judge, Commonwealth Court,
Administering Oath of Office

Reported by:
Ann-Marie P. Sweeney
Chief Official Reporter
Senate of Pennsylvania

SENATOR AUMENT: Good morning. Senator Joseph B. Scarnati III was elected to serve as the Interim President pro tempore of the Senate on November 16, 2016. At that time, he was administered the oath of office to serve as Interim President pro tempore. To serve as President pro tempore, however, Senator Scarnati must also be administered the oath of office for his new term as a State Senator. The oath of office for his new term as Senator will be administered today.

We will now proceed to receive the returns of the election for the 25th Senatorial District from the election held November 8, 2016.

The Chair lays before the Senate the following communication from the Secretary of the Commonwealth.

THE CLERK: General election, Senator in the General Assembly, 25th Senatorial District:

Democratic - Jerri Buchanan, 25,686 votes.
Republican - Joseph B. Scarnati III, 76,416 votes.
Write-ins - scattered, 86 votes.

SENATOR AUMENT: The Chair acknowledges receiving the certified election returns from the Secretary of the Commonwealth for the 25th Senatorial District. Such returns having been received and read, Joseph B. Scarnati III is declared to be a duly elected Senator in the General Assembly for the 25th Senatorial District.

For the record, the Chair has also been informed by the Secretary of the Commonwealth that Senator-elect Scarnati has filed the accounts and affidavits as required by the election laws, and the Chair will submit the certificate for the record.

Will Senator-elect Scarnati present himself at the bar of the Senate.

It is an honor and privilege to have with us today the Honorable P. Kevin Brobson, Judge of the Commonwealth Court of Pennsylvania. He has kindly consented to be with us today to administer the oath of office to Senator Scarnati.

Will everyone please rise. I now present Judge Brobson.

JUDGE BROBSON: Morning, Senator. Are you prepared to take the oath of office?

THE PRESIDENT PRO TEMPORE-ELECT: I am.

JUDGE BROBSON: Please put your left hand on the Bible and raise your right hand. Repeat after me:

I, Joseph B. Scarnati III.

THE PRESIDENT PRO TEMPORE-ELECT: I, Joseph B. Scarnati III.

JUDGE BROBSON: Do solemnly swear.

THE PRESIDENT PRO TEMPORE-ELECT: Do solemnly swear.

JUDGE BROBSON: That I will support, obey and defend.

THE PRESIDENT PRO TEMPORE-ELECT: That I will support, obey and defend.

JUDGE BROBSON: The Constitution of the United States.
THE PRESIDENT PRO TEMPORE-ELECT: The Constitution of the United States.

JUDGE BROBSON: And the Constitution of this Commonwealth.
THE PRESIDENT PRO TEMPORE-ELECT: And the Constitution of this Commonwealth.

JUDGE BROBSON: And that I will discharge the duties of my office.

THE PRESIDENT PRO TEMPORE-ELECT: And that I will discharge the duties of my office.

JUDGE BROBSON: With fidelity.

THE PRESIDENT PRO TEMPORE-ELECT: With fidelity.

JUDGE BROBSON: Congratulations.

THE PRESIDENT PRO TEMPORE-ELECT: Thank you.

(Applause.)

SENATOR AUMENT: Congratulations, Senator Scarnati.

The Chair wishes to thank Judge Brobson for joining us here today.

The Chair directs the Secretary of the Senate to enter these proceedings in the Senate Journal on the first day of the next Regular Session convening on January 3, 2017.

This concludes the ceremony. The Chair thanks everyone in attendance.

(Whereupon, the proceedings were concluded at 10:13 a.m.)

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me during the hearing of the within cause, and that this is a true and correct transcript of the same.

ANN-MARIE P. SWEENEY
Chief Official Reporter
Senate of Pennsylvania

THE FOREGOING CERTIFICATION DOES NOT APPLY TO ANY REPRODUCTION OF THE SAME BY ANY MEANS UNLESS UNDER THE DIRECT CONTROL AND/OR SUPERVISION OF THE CERTIFYING REPORTER.

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RECESS

The PRESIDENT. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, I move that the Senate do now recess until Monday, January 23, 2017, at 1 p.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 3:02 p.m., Eastern Standard Time.