

VIRTUAL ROUNDTABLE DISCUSSION ON

SENATE RULES REFORM

Hosted by:

Senator
Lindsey M.
Williams



Senator
Katie Muth
Policy Committee Chair

Wednesday • December 7 • 6 p.m. – 7 p.m.



This hearing will be held virtually.

Register & Watch Live at SenatorMuth.com/Policy



#SenDemPolicy

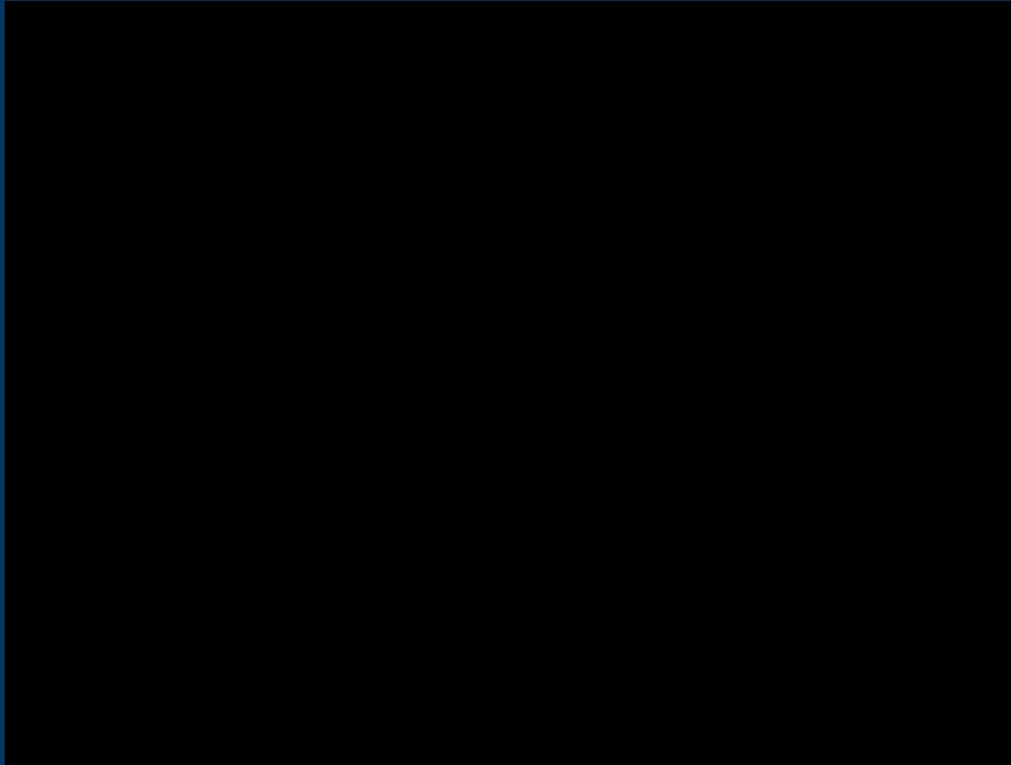
What Are the Senate Rules?

- The Senate Rules are the parliamentary procedures by which the Senate adheres to and the process by which the Senate creates public policy, considers issues and resolves disputes
- The Senate Rules are adopted at the beginning of each two-year legislative session by a simple majority vote – meaning the Majority Party can set and establish rules without a single vote of the Minority Party.
- While some other states prescribe the operating rules of the General Assembly in statute, the rules can be different each session and in each chamber in Pennsylvania.

How can the Senate Rules Impact Government?

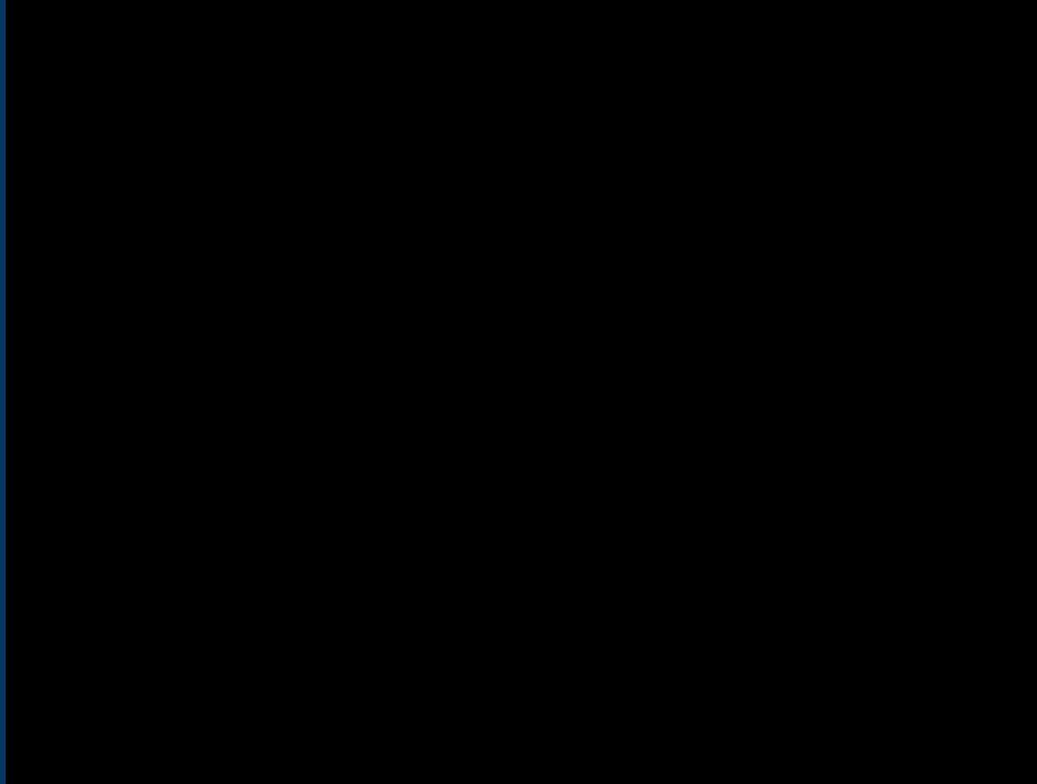
- The current Senate Rules hinder the ability of the Minority Party and allow for Majority Party to have unilateral control of the Senate Calendar, Committee proceedings and hearings, and floor activity.
- In Pennsylvania, the Senate Republicans have been in the Majority since 1994 and the Senate Rules have allowed them to have sole discretion over the bills considered and laws enacted for nearly three decades.
- Hundreds of bills and resolutions drafted by members of the Minority Party **never** receive consideration in Committee
- When bills are brought up for a vote on the Senate Floor, members can offer amendments but the Majority routinely uses procedural motions – such as tabling the amendment – instead of voting on the actual amendment.

Example #1: Motion to Table (HB1059)



Example #2: Calling the Question (aka the “nuclear option”)

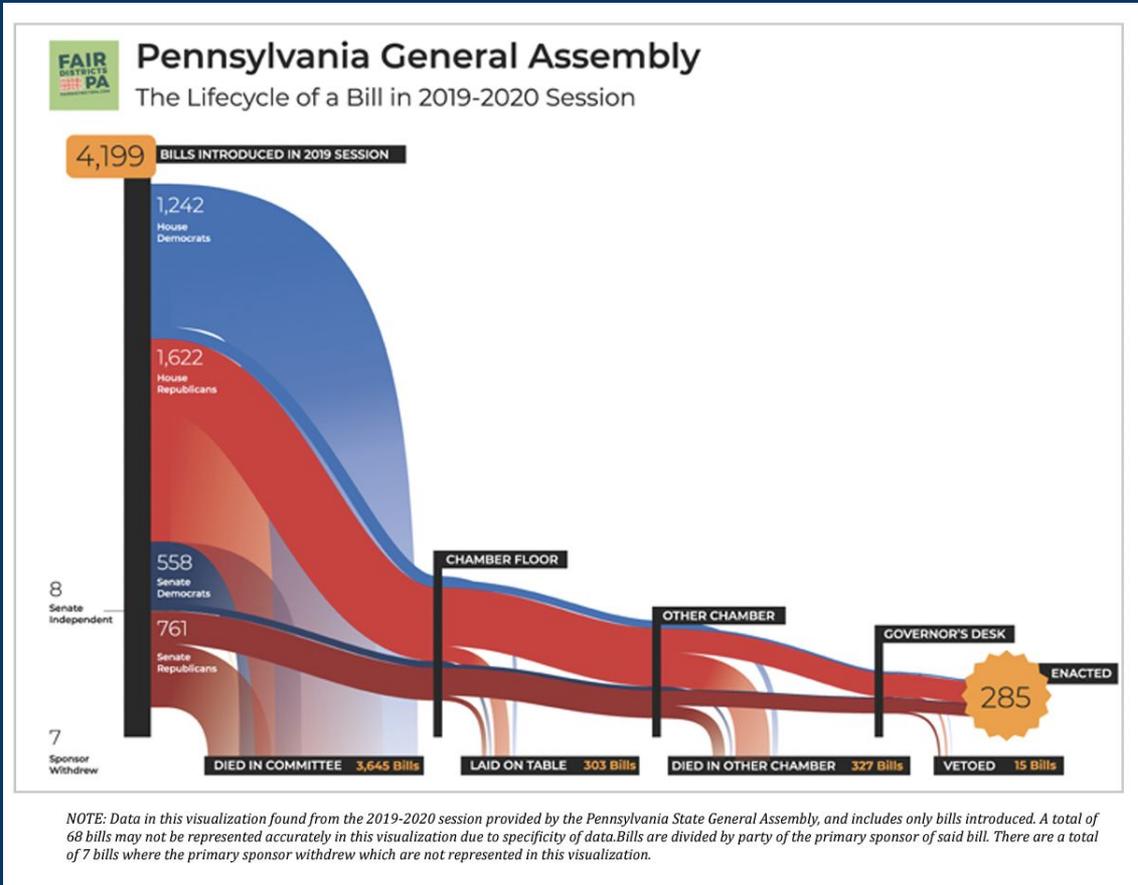
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How the Majority Has Stifled the Minority

- Only 2 bills introduced by Senate Democrats reached the Governor's desk for his signature in the 2021-2022 session – 111 bills introduced by Senate Republicans reached the Governor's desk during the same period.
- In the 2021-22 legislative session, there were 4,295 bills introduced in the General Assembly – only 266 were signed into law by the Governor and 17 bills were vetoed – only 6.5% of bills introduced made it through the legislative process this session.

Legislative Inaction



How the Majority has Stifled the Minority

Over the past seven years, the Pennsylvania Senate did not schedule a floor vote on over 60 percent of the bills that passed the Pennsylvania House of Representatives.

- Fair Districts PA (2022)

What Pennsylvania Can Learn From Other States

- **Committees must hold a hearing on all bills**
 - Colorado House & Senate, Delaware House, Kentucky Senate, Maine House & Senate, Massachusetts House & Senate, Montana House & Senate, Nebraska Legislature, New Hampshire House & Senate, New Mexico House, North Dakota House & Senate, Ohio House, South Dakota House & Senate, Tennessee Senate, Utah House & Senate
- **Committees must vote on all bills**
 - Alaska House & Senate, Arizona Senate, California Assembly, California Senate, Colorado House & Senate, Delaware House & Senate, Kentucky Senate, Maine House & Senate, Massachusetts House & Senate, Montana House & Senate, Nebraska Legislature, New Hampshire House & Senate, New Mexico House, North Dakota House & Senate, South Dakota House & Senate, Tennessee Senate, Utah House & Senate, Vermont Senate, Wyoming House & Senate
- **Committee members can vote to place bill on committee agenda**
 - Arizona House ($\frac{2}{3}$ majority), Michigan Senate (simple majority), Nevada Senate (simple majority)

What Pennsylvania Can Learn From Other States

- All bills must receive a public hearing prior to receiving a vote
 - Delaware House, Hawaii House, Iowa Senate, Louisiana House & Senate, Minnesota House, Nebraska Legislature, New Hampshire House & Senate, North Dakota House & Senate, Ohio House & Senate, Texas Senate, Washington Senate, West Virginia House, Wisconsin Senate
- Public hearings must include opportunity for **public comment**
 - Delaware House, Louisiana House & Senate, the Minnesota House, Texas Senate, West Virginia House
- Pennsylvania is **one of only five states** that does **NOT** require archived posting of recorded floor sessions and committee hearings

Proposed Rules Reforms Here in Pennsylvania

- All bills and resolutions must receive a vote in committee.
- Require a $\frac{2}{3}$ vote for certain motions including tabling.
- Ensure adequate public notice of Senate action by requiring the marked calendar to be released at least 24 hours before the start of session.
- Authorize Minority Chairs to call committee hearings.

Proposed Rules Reforms Here in Pennsylvania

- Expand legislative requirements and action for bills on concurrence including allowing amendments to be offered on the floor to bills on concurrence.
- Require action on bipartisan legislation and legislation that received bipartisan support in the House
- Ensure every amendment gets a vote and require that amendment votes are recorded on the public-facing website of the legislature.
- Require Majority and Minority Party participation to conduct official business
- Expand the view of the Senate floor during session so the public can see who is on the floor and observe senators casting their vote.

Proposed Rules Reforms Here in Pennsylvania

- Mandate all committee hearings to be livestreamed, recorded, and archived to ensure meetings held in the Rules Committee Room are viewable by the public.
- Guarantee equitable representation on standing committees.
- Require makers of bills to stand for interrogation upon request
- Require a publicly-available fiscal note for every bill prior to a floor vote
- Expand the type of floor actions that are debatable - including the motion to table
- Require Committee Chairs to administer oaths to all testifiers at hearings.

Why **You** Should Care About The Senate Rules?

- The current process completely closes off the Minority Party from any meaningful participation in the legislative process. ***This means that roughly half of all Pennsylvanians will not have their interests truly represented and advocated for in Harrisburg at any given time.***
- The current rules also limit any true **transparency** and direct public participation within the legislative process.

WHAT YOU CAN DO:

Call to Action !!!!!

- Whether you are represented by a Republican or a Democrat in Harrisburg, please call your senator and ask them to support Rules Reforms that would create a more equitable, transparent, and involved Senate by signing on as a co-sponsor of the Rules Reform resolution introduced by Senators Muth and Williams.
- **The Senate will establish the rules for the 2023-24 Legislative Session on January 3, 2023**

Questions?
