

No. 1979-104

AN ACT

HB 777

Amending the act of January 10, 1968 (1967 P.L.925, No.417), entitled "An act relating to officers and employes of the General Assembly; fixing the number, qualifications, compensation, mileage and duties of the officers and employes of the Senate and of the House of Representatives; providing for their election or appointment, term of office, or of service, removal and manner of filling vacancies; fixing the salary of the Director of the Legislative Reference Bureau; providing for compilation of lists of employes," providing for the reorganization and management of the Senate and of the House of Representatives and providing a cost-of-living increase for certain employes.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The act of January 10, 1968 (1967 P.L.925, No.417), referred to as the Legislative Officers and Employes Law, is amended by adding a section to read:

Section 18. Any person who holds the power of employe appointment pursuant to sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 15.1, 15.2 or 15.3 shall in addition to any powers granted therein have the power to change the employe job classification or job title as such appointing person deems proper.

Section 2. Sections 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 33.1, 33.2, 33.3 and 35 of the act are repealed.

Section 3. The act is amended by adding sections to read:

Section 21.1. (a) There is hereby created a Bi-partisan Management Committee which shall consist of the following five members of the House of Representatives: the Speaker, who shall serve as chairman; the Majority and Minority Leaders; and Majority and Minority Whips.

(b) The committee shall meet at times and places necessary to perform the functions assigned to it by law, and shall adopt rules and regulations for its own organization and operation.

(c) There shall be an executive director and other necessary staff for the committee who shall be appointed by the committee which shall also assign duties and fix compensation for the positions consistent with the standards set forth in section 21.9.

(d) The committee is authorized to prepare and adopt rules and regulations for promulgation and administration of uniform personnel policies and procedures, job classification and pay plans including periodic increments for all House employes and officers as well as the other matters hereafter set forth in section 21.2. Each such rule or regulation and any amendment thereto, shall be in resolution form and be placed on the House calendar for final approval or disapproval. Such resolution shall have the force and effect of law in accordance with its terms when it has been approved by a constitutional majority of the members elected to the House

of Representatives. Any adopted resolution shall continue in force and effect until such time as it is amended, superseded, or repealed by another resolution adopted in accordance with the procedures established by this subsection.

(e) The committee shall publish and maintain a handbook of all rules, regulations, policies and procedures which are promulgated in pursuance of this act.

(f) The committee shall maintain a file of all plans of organization submitted and approved hereunder including all amendments thereto.

(g) All actions of the committee shall require the approval of at least four members thereof.

Section 21.2. The Bi-partisan Management Committee is authorized to prepare and adopt rules and regulations governing the following matters:

(1) Uniform policies and procedures relating to the keeping of inventory records of capital outlay items owned or purchased by the House of Representatives.

(2) Preparation of suggested budgets for all expenditures of the House or any committee or agency thereof including the Bi-partisan Management Committee, the Legislative Management Committees, the Offices of the Chief Clerk and comptroller of the House and submitting the same for final approval before transmission to the Budget Secretary.

(3) Insuring that proper prior authorization has been obtained for all expenditures and expenses of the House of Representatives including those of its officers, members and employes, that such expenditures are made for purposes prescribed by law or by rule of the House of Representatives and that adequate appropriated funds are available for disbursement.

(4) The preparation of all payrolls for the House of Representatives, including the certification of vouchers and transmission of same to the comptroller and maintaining the required and necessary expense and payroll records.

(5) Maintenance of records of disbursements from the House Appropriation Accounts by offices or departments, including standing committees, or other categories as needed, including classification as to type of disbursements.

(6) Preparation of monthly and other periodic reports of disbursements of the House of Representatives from an account subject to its control or the control of any officer, employe, committee or agency thereof.

(7) Planning and coordination of purchases in volume for the House of Representatives in order to take advantage of, and secure the economies made possible by, volume purchasing, and the negotiation and execution of purchasing agreements and contracts and the establishment of methods for obtaining competitive bid prices upon which the House may purchase.

(8) Taking advantage of Federal General Services Administration (GSA) contracts and State contracts negotiated by the Division of Purchasing of the Commonwealth Department of General Services.

(9) Establishment of uniform purchasing policies and procedures relating to the acquisition of supplies, capital outlay items and contractual services.

(10) Compilation of final reports of the work of each special or standing committee or subcommittee of the House.

(11) Maintenance and preservation of the books, memoranda, reports and records of each standing and special committee having permanent research value.

(12) Establishment and maintenance of a library adequate for the needs of the House.

(13) Maintenance of an exchange service with legislative service agencies of other states, the Federal Government, foreign governments, local units of government in this State, the Council of State Governments, and other agencies which carry on research in governmental problems, and through cooperation with such agencies, securing information for the members of the House.

(14) Maintenance of a bill status system supplying such information relating to all bills and resolutions prefiled or introduced during legislative sessions as the committee may deem necessary.

(15) Coordination in behalf of the House of all matters relative to legislative printing.

(16) Establishment of appropriate legislative internship programs.

(17) Development of uniform policies and procedures for the preservation and/or destruction of papers, documents and other writings or records.

(18) Development of uniform standards, policies and procedures for the acquisition, purchase or leasing of office or storage space for officers, members and employes of the House of Representatives both in the Capitol and throughout the Commonwealth.

Section 21.3. The Majority and principal Minority Party Caucuses shall each establish a Legislative Management Committee which shall be composed of the Floor Leader, who shall be chairman, and so many additional caucus members as may be determined by each caucus. Each such committee shall select a staff administrator who shall, under supervision of the committee, administer the fiscal and personnel affairs of the caucus and perform such other duties as may be assigned.

Section 21.4. (a) The Speaker, each Caucus Officer, each Legislative Management Committee, each Appropriations Committee and each other House committee for whom or to which funds are authorized or appropriated for the hiring of staff shall within sixty days of the effective date of this act and thereafter no later than one month after the beginning of each new session, submit to the Bi-partisan Management Committee a plan of organization for all employes under such person's or committee's jurisdiction and such modifications thereof as may be necessary from time to time.

(b) Each such plan or modification shall include the following:

(1) The job title of each employe.

- (2) *A description of each employe's duties.*
- (3) *The compensation of each employe.*
- (4) *Such other information as the committee in its rules and regulations shall require.*

(c) *Each such plan or modification shall take effect upon submission to the extent that such plan is in compliance with applicable rules and regulations of the Bi-partisan Management Committee and within the limits of available appropriations.*

(d) *No person may be employed by the Speaker, any Caucus Officer, either Appropriations Committees, either Legislative Management Committee, the Bi-partisan Management Committee, the Chief Clerk, the comptroller or any other House committee unless provision is made for the position to be filled in a plan of organization or modification thereof as herein provided.*

Section 21.5. If a vacancy occurs in any committee, the same shall be filled as provided for original appointments.

Section 21.6. The Chief Clerk and the comptroller of the House of Representatives shall be selected by the Bi-partisan Management Committee subject to confirmation and removal solely upon the affirmative vote of two-thirds of the members of the House of Representatives in office at the time of any such vote. The Chief Clerk and the comptroller shall be compensated in an amount determined by the committee.

Section 21.7. (a) The Chief Clerk shall be responsible for all day to day functions of the House of Representatives as assigned by the Bi-partisan Management Committee and shall maintain central personnel files for all House employes. The following information in each House employe's file shall be a matter of public record, shall be open for public inspection during normal business hours and copies of which shall be available at cost:

- (1) *Job title.*
- (2) *Description of duties.*
- (3) *Compensation.*
- (4) *Such other information as the House shall prescribe by its rules.*

(b) *The Chief Clerk shall make available to each House employe covered under this act, a copy of that portion of the handbook set forth in section 21.1(e) which deals with personnel policies and procedures. Any changes to the portion dealing with personnel policies and procedures shall likewise be made available to each House employe.*

Section 21.8. The comptroller shall be the chief fiscal officer of the House; shall prepare all payrolls; and shall pre-audit all vouchers submitted for reimbursement from any House Appropriation Account. All such vouchers submitted for reimbursement shall be matters of public record, shall be open for public inspection during normal business hours and copies of which shall be available at cost.

Section 21.9. The Bi-partisan Management Committee shall establish and may modify, from time to time, a plan of organization for its own staff

and all employes under the jurisdiction of the Chief Clerk and the comptroller; such plans shall contain the matters set forth in section 21.4(b). Within the limits of available appropriations and subject to the uniform rules and regulations authorized under section 21.2 the Chief Clerk and the comptroller shall have full control of their respective employes.

Section 21.10. Neither the Chief Clerk, the comptroller, nor any employe of either office shall during such person's employment under this act:

- (1) Be a candidate for any public office.*
- (2) Participate actively in any campaign for public office.*
- (3) Be an officer or a member of any partisan political committee.*
- (4) Perform or be assigned to perform duties except for the office by whom they are employed.*

Section 21.11. All officers and employes of the House shall be full-time employes except as specifically authorized by the Bi-partisan Management Committee. A copy of all contracts for contract services to the House by any person, agency or entity shall, within five days of execution be submitted to the Bi-partisan Management Committee.

Section 21.12. (a) The Chief Clerk in office at the time this act becomes effective shall continue in office at the then current salary until the first Tuesday in January of 1981 unless sooner replaced by the selection and confirmation of a successor as herein provided or unless sooner removed by a majority vote of all the members of the House of Representatives.

(b) The Secretary in office at the time this act becomes effective shall continue in office at the then current salary until otherwise determined by the Bi-partisan Management Committee and shall have such employes at such compensation as shall be determined by the Bi-partisan Management Committee.

Section 21.13. If any vacancy shall occur during the recess of the Legislature in the office of the Speaker of the House of Representatives, the duties of said office shall be performed by the Majority Leader of the House of Representatives.

Section 4. Sections 41, 45, 46, 51, 52, 53, 54 and 55 of the act, are repealed insofar as these provisions apply to the House of Representatives.

Section 5. The act is amended by adding a section to read:

Section 56. In addition to any amounts specified heretofore in this act or any amendments thereto, each person other than a member of the General Assembly and other than a person subject to the direction and control of the Bi-partisan Management Committee, whose compensation is fixed in this act, shall receive an amount as a cost-of-living increase equal to seven percent of the compensation such person is receiving on the effective date of this section. Such payment shall be prorated to each pay period, commencing with the first pay period occurring after the effective date of this section and continuing thereafter.

Section 6. All appropriations made in any fiscal year to any account of the House of Representatives remaining unexpended and unencumbered

on the effective date of this amendatory act, may be transferred by the Bi-partisan Management Committee, in its discretion, to such House accounts as the committee deems necessary to implement the provisions of this act. Such power to transfer appropriations shall be limited to the fiscal year in which this amendatory act takes effect. All personnel and existing appropriation allocations of the House of Representatives are hereby transferred to the positions and to the funds designated by the Bi-partisan Management Committee for the balance of the fiscal year in which this amendatory act takes effect.

Section 7. This act shall take effect immediately.

APPROVED—The 10th day of December, A. D. 1979.

DICK THORNBURGH