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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1354 Session of  
2013

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INTRODUCED BY ROAE, METZGAR, DUNBAR, RAPP, MUNDY, TALLMAN,  
TRUITT, MULLERY, SWANGER, SIMMONS, EVERETT, KAUFFMAN AND  
ROCK, MAY 8, 2013

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REFERRED TO COMMITTEE ON RULES, MAY 8, 2013

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AN ACT

1 Providing for expenses of members and employees of the House of  
2 Representatives.

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

5 Section 1. Members' and employees' expenses.

6 (a) General rule.--A member of the House of Representatives  
7 who:

8 (1) attends a duly called meeting of a standing or  
9 special committee of which he or she is a member when the  
10 House of Representatives is not in session;

11 (2) is the prime sponsor of a bill being considered at a  
12 duly called meeting of a standing or special committee and  
13 participates in the meeting for the purpose of consideration  
14 of the bill when the House of Representatives is not in  
15 session;

16 (3) testifies at a duly called meeting of a standing or  
17 special committee when the House of Representatives is not in

1 session;

2 (4) is summoned to the State Capitol or elsewhere by the  
3 Speaker of the House of Representatives, or the Majority or  
4 Minority Leader of the House of Representatives, to perform  
5 legislative services on a weekday when the House of  
6 Representatives is not in session;

7 (5) conducts legislative service or performs a State-  
8 related job duty on a weekday when the House of  
9 Representatives is not in session, including, but not limited  
10 to, attending caucus meetings, participating in State-  
11 sponsored events such as the Pennsylvania Farm Show, touring  
12 State facilities, participating in meetings with the  
13 Governor's Office or a State department, board or commission,  
14 preparing for session or legislative meetings, working on  
15 legislation and other similar purposes; or

16 (6) is present in the Capitol on a nonsession day  
17 immediately following a session day exclusively due to  
18 inclement weather, to a medical condition of the member that  
19 prevents the member from safely operating a motor vehicle, to  
20 a late adjournment or late recess of the House of  
21 Representatives or to such other unforeseeable event that  
22 prevents the member from leaving the Capitol as approved by  
23 the Chief Clerk,

24 shall be reimbursed per day for each day of service, plus  
25 mileage to and from the member's residence, at such rates as are  
26 established from time to time by the Committee on Rules but not  
27 in excess of the applicable maximum mileage rate authorized by  
28 the Federal Government. For travel to any location for committee  
29 meetings or for travel to the State Capitol for any reason,  
30 members cannot receive reimbursement in excess of the applicable

1 maximum per diem rate authorized by the Federal Government.  
2 These expenses shall be paid by the Chief Clerk from  
3 appropriation accounts under the Chief Clerk's exclusive control  
4 and jurisdiction, upon a written request approved by the Speaker  
5 of the House of Representatives or the Majority or the Minority  
6 Leader of the House. Reimbursement of a member under paragraphs  
7 (5) and (6) shall be limited to no more than 52 days annually.

8 (b) Employees.--An employee of the House of Representatives  
9 summoned by the Speaker of the House of Representatives or the  
10 Majority or Minority Leader of the House of Representatives to  
11 perform legislative services outside of Harrisburg shall be  
12 reimbursed for actual expenses and mileage to and from the  
13 employee's residence. Such expenses may be paid by the Speaker,  
14 Majority or Minority Leader, if they agree to do so, or shall be  
15 paid by the Chief Clerk from appropriation accounts under the  
16 Chief Clerk's exclusive control and jurisdiction, upon a written  
17 request approved by the Speaker, or the Majority or the Minority  
18 Leader. District office employees are only permitted to be  
19 reimbursed from an account under the control of the Chief Clerk  
20 when traveling to Harrisburg for a training program sponsored by  
21 either caucus or for travel to a legislative conference approved  
22 by the Speaker, the Majority Leader or the Minority Leader. All  
23 other travel by district office employees may be reimbursed from  
24 the member's accountable expenses or an account under the  
25 control of the Speaker, the Majority Leader or the Minority  
26 Leader.

27 (c) Travel outside Commonwealth.--Members and employees  
28 traveling outside this Commonwealth who receive any  
29 reimbursement for expenses or travel which reimbursement is from  
30 public funds shall file with the Chief Clerk a statement

1 containing his or her name and the name, place, date and the  
2 purpose of the function.

3 (d) Exceptions.--Except as otherwise provided in this  
4 section, no member shall be entitled to a per diem for a day  
5 when the House of Representatives is not in session:

6 (1) for attending a meeting of a standing or special  
7 committee of which he or she is not a member;

8 (2) if the day is an official holiday of the House of  
9 Representatives and the staff of the House of Representatives  
10 has been advised that the House of Representatives will be  
11 closed that day and the staff is not required to report to  
12 work, unless the official holiday is the day immediately  
13 before a session day or the day immediately after a session  
14 day; or

15 (3) if the day is a Saturday or Sunday, unless it is the  
16 day immediately before a session day or the day immediately  
17 after a session day.

18 (e) Funding source for reimbursement.--Money appropriated  
19 specifically to and allocated under a specific symbol number for  
20 allowable expenses of members of the House of Representatives  
21 shall be reimbursed to each member upon submission of vouchers  
22 and any required documentation by each member on forms prepared  
23 by the Chief Clerk of the House of Representatives. No  
24 reimbursement shall be made from this account where a member is  
25 directly reimbursed for the same purpose from any other  
26 appropriation account.

27 (f) Legislative purposes and functions.--Such allowable  
28 expenses of members may be used for any legislative purpose or  
29 function, including but not limited to the following:

30 (1) Travel expense on legislative business.

1           (i) Mileage on session or nonsession days at a rate  
2 as may be approved from time to time by the Committee on  
3 Rules, but not in excess of the maximum mileage rate  
4 authorized by the Federal Government for travel; voucher  
5 only.

6           (ii) Miscellaneous transportation on legislative  
7 business, including taxi, airport limousine parking and  
8 tolls, and expenses of a similar nature; voucher only for  
9 any single expense not in excess of \$10.

10           (iii) Travel on legislative business by common  
11 carrier other than taxi and airport limousine; voucher  
12 and receipt from common carrier.

13           (iv) Car rental; voucher and receipt from rental  
14 agency but reimbursement not to exceed in any month an  
15 amount as may be approved from time to time by the  
16 Committee on Rules. Any amount in excess of the amount  
17 shall be paid by the person renting the car. In no event  
18 shall other than American manufactured cars be rented.

19           (v) Lodging, restaurant charges and other  
20 miscellaneous and incidental expenses while away from  
21 home. Vouchers only for per diem allowance approved from  
22 time to time by the Committee on Rules, but not in excess  
23 of the applicable maximum per diem rate authorized by the  
24 Federal Government or for actual expenses not in excess  
25 of such per diem rate.

26           (2) Administrative, clerical and professional services  
27 for legislative business, except for employment of spouses or  
28 any relatives, by blood or marriage.

29           (i) Administrative and clerical services; voucher  
30 and receipt from person employed.

1           (ii) Professional services; voucher and receipt and  
2           copy of agreement or contract of employment.

3           (3) Rent for legislative office space; purchase of  
4           office supplies; postage; telephone and answering services;  
5           printing services and rental only of office equipment;  
6           voucher and vendor's receipt, except for postage expense.

7           (4) Official entertainment—restaurant and beverage  
8           charges; voucher only for expenses. Receipts for  
9           entertainment expenses, together with a statement of the  
10          reason for the expense, shall be submitted with the request  
11          for reimbursement.

12          (5) Purchase of flags, plaques, publications,  
13          photographic services, books and other similar items in  
14          connection with legislative activities; voucher and vendor's  
15          receipt.

16          (6) Communications and donations in extending  
17          congratulations or sympathy of illness or death; voucher only  
18          on expenses not in excess of \$35.

19          (g) Prohibited expenses.--

20           (1) No money appropriated for members' and employees'  
21           expenses shall be used for contributions:

22           (i) To political parties or their affiliated  
23           organizations.

24           (ii) To charitable organizations or for charitable  
25           advertisements. This paragraph shall not prevent a de  
26           minimis use of legislative resources, in connection with  
27           legislative activities, to benefit a bona fide charitable  
28           organization that serves a member's district.

29           (2) Members and employees shall not request  
30           reimbursement for the private lease of vehicles leased on a

1 long-term basis. No payments will be made with respect to  
2 private, long-term lease vehicle expenses incurred by members  
3 or employees except with respect to private, long-term lease  
4 arrangements entered into by a member prior to March 13,  
5 2007, payments for which will be made in accord with the  
6 rules of the House of Representatives in place on March 12,  
7 2007. The Chief Clerk may enter into a master lease agreement  
8 with the Department of General Services for the long-term  
9 lease of automobiles.

10 (h) Monthly reports.--

11 (1) All disbursements made, debts incurred or  
12 advancements paid from any appropriation account made to the  
13 House or to a member or nonmember officer under a General  
14 Appropriation Act or any other appropriation act shall be  
15 recorded in a monthly report and filed with the Chief Clerk  
16 by the person authorized to make the disbursement, incur any  
17 debt or receive any advancement on a form prescribed by the  
18 Chief Clerk.

19 (2) The Chief Clerk shall prescribe the form of all such  
20 reports and make such forms available to those persons  
21 required to file such reports. The report form shall include:

22 (i) As to personnel:

23 (A) The name, home address, job title, brief  
24 description of duties and where they are performed,  
25 department or member or members to whom assigned, the  
26 name of immediate supervisor and minimum hours of  
27 employment per week of each employee.

28 (B) The appropriation account from which the  
29 employee is compensated, the amount of compensation  
30 and whether the person is on salary, per diem or

1 contract.

2 (ii) As to all other expenditures:

3 (A) To whom it was paid, the amount thereof and  
4 the nature of the goods, services or other purpose  
5 for which the expenditure was made.

6 (B) The appropriation account from which the  
7 expenditure was made and the name or names of the  
8 person or persons requesting and authorizing the  
9 expenditure.

10 (3) The reporting requirements as to personnel may be  
11 fulfilled by the maintenance in the Office of the Chief Clerk  
12 of the House of Representatives of an alphabetized file  
13 containing the current information for each employee as  
14 provided in this subsection.

15 (4) All monthly reports filed on disbursements made or  
16 debts incurred by any officer or member or employee from  
17 appropriations made to the House of Representatives or to a  
18 member or nonmember officer under any General Appropriation  
19 Act, and the documentation for each disbursement, shall be  
20 public information and shall be available in accordance with  
21 the act of February 14, 2008 (P.L.6, No.3), known as the  
22 Right-to-Know Law.

23 (i) Public inspection.--All vouchers and requisitions  
24 relating to all expenditures, expenses, disbursements and other  
25 obligations out of all appropriated funds of the House of  
26 Representatives, and the documentation evidencing payment of the  
27 vouchers and requisitions, shall be available in accordance with  
28 the Right-to-Know Law.

29 (j) Reimbursement procedure.--

30 (1) All requests for reimbursement out of any

1 appropriation shall be accompanied by a voucher, or other  
2 documents where required, evidencing payment or approval.

3 (2) All requests for reimbursement out of any  
4 appropriation payable to a member, nonmember officer or  
5 employee shall be void if not submitted within 60 days of the  
6 date that the otherwise allowable expense is incurred for any  
7 and all otherwise allowable expenses, including without  
8 limitation, per diem, mileage and actual expenses incurred.

9 (3) Any void request for reimbursement may not be paid  
10 except pursuant to a motion to suspend the provisions of this  
11 section for good cause specific to the voided request for  
12 reimbursement.

13 (4) In no event shall any payment or reimbursement be  
14 made for any otherwise allowable expense incurred on or  
15 before March 12, 2007.

16 (5) The voucher form shall be approved and supplied by  
17 the Chief Clerk. Receipts or documentation of every  
18 expenditure or disbursement which is in excess of the maximum  
19 amount as stated in this section shall be attached to the  
20 voucher. Where a request for payment is made in advance of an  
21 expense actually incurred, the Chief Clerk, before making  
22 such advance payment shall require a description satisfactory  
23 to the Chief Clerk of the item or service to be purchased or  
24 the expense to be incurred and a receipt or other  
25 documentation shall be given to the Chief Clerk after the  
26 item or service has been purchased or expense incurred as  
27 evidence that the advancement was in fact expended for that  
28 purpose.

29 (k) Recordkeeping.--All reports, vouchers and receipts from  
30 which reports are prepared and filed shall be retained by the

1 Chief Clerk, officer or member, as the case may be, for such  
2 period of time as may be necessary to enable the Legislative  
3 Audit Advisory Commission created pursuant to the act of June  
4 30, 1970 (P.L.442, No.151), entitled "An act implementing the  
5 provisions of Article VIII, section 10 of the Constitution of  
6 Pennsylvania, by designating the Commonwealth officers who shall  
7 be charged with the function of auditing the financial  
8 transactions after the occurrence thereof of the Legislative and  
9 Judicial branches of the government of the Commonwealth,  
10 establishing a Legislative Audit Advisory Commission, and  
11 imposing certain powers and duties on such commission," to  
12 conduct, through certified public accountants appointed by it,  
13 annual audits to assure that such disbursements made or debts  
14 incurred were in accordance with Legislative Audit Advisory  
15 Commission guidelines and standards as approved by the Committee  
16 on Rules, or for a minimum of three years, whichever is longer.  
17 All annual audit reports shall be available for public  
18 inspection. Photocopies of such reports shall be available for a  
19 fee established by the Chief Clerk not to exceed the cost of  
20 duplication.

21 (l) Expenditure guidelines.--Except as specifically  
22 prohibited by law or limited by this rule, all expenditures of  
23 funds appropriated to the House of Representatives or to a  
24 member or nonmember officer shall be subject to the expenditure  
25 guidelines established by the Rules Committee. The Rules  
26 Committee shall establish standards regarding documentation  
27 evidencing payment out of any appropriations account made to the  
28 House of Representatives or to a member or nonmember officer.

29 (m) Bipartisan Management Committee.--The Bipartisan  
30 Management Committee shall receive and review suggestions from

1 the Comptroller on ways to reduce costs and improve the fiscal  
2 operations of the House of Representatives. The Comptroller,  
3 following authorization by the Bipartisan Management Committee,  
4 shall implement cost-reducing and other new measures to improve  
5 the fiscal operations of the House of Representatives.

6 Section 2. Inconsistent rules.

7 Any rule or part of a rule of the House of Representatives  
8 inconsistent with this act shall be void and of no effect.

9 Section 3. Effective date.

10 This act shall take effect immediately.