

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 320 Session of
2009

INTRODUCED BY CUTLER, BOYD, CLYMER, GABLER, GALLOWAY, GEIST,
HARRIS, HICKERNELL, HUTCHINSON, MURT, ROAE, ROCK, ROHRER,
STERN, SWANGER, TRUE, TURZAI AND VULAKOVICH, MAY 29, 2009

REFERRED TO COMMITTEE ON RULES, MAY 29, 2009

A RESOLUTION

1 Amending the Rules of the House of Representatives, further
2 providing for members' and employees' expenses.

3 RESOLVED, That Rule 14 of the Rules of the House of
4 Representatives be amended to read:

5 RULE 14

6 Members' and Employees' Expenses

7 A member who attends a duly called meeting of a standing or
8 special committee of which he or she is a member when the House
9 is not in session or who is summoned to the State Capitol or
10 elsewhere by the Speaker, or the Majority or Minority Leader of
11 the House, to perform legislative services when the House is not
12 in session shall be reimbursed per day for each day of service,
13 plus mileage to and from the member's residence, at such rates
14 as are established from time to time by the Committee on Rules
15 but not in excess of the applicable maximum mileage rate
16 authorized by the Federal Government. For travel to any location
17 for committee meetings or for travel to the State Capitol for

1 any reason, members cannot receive reimbursement in excess of
2 the applicable maximum per diem rate authorized by the Federal
3 Government. These expenses shall be paid by the Chief Clerk from
4 appropriation accounts under the Chief Clerk's exclusive control
5 and jurisdiction, upon a written request approved by the Speaker
6 of the House, or the Majority or the Minority Leader of the
7 House.

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

26 Members and employees traveling outside the Commonwealth of
27 Pennsylvania who receive any reimbursement for expenses or
28 travel which reimbursement is from public funds shall file with
29 the Chief Clerk a statement containing his or her name and the
30 name, place, date and the purpose of the function.

1 Money appropriated specifically to and allocated under a
2 specific symbol number for allowable expenses of members of the
3 House of Representatives shall be reimbursed to each member upon
4 submission of vouchers and any required documentation by each
5 member on forms prepared by the Chief Clerk of the House. No
6 reimbursement shall be made from this account where a member is
7 directly reimbursed for the same purpose from any other
8 appropriation account.

9 Such allowable expenses of members may be used for any
10 legislative purpose or function, including but not limited to
11 the following:

12 (1) Travel expense on legislative business.

13 (a) Mileage on session or nonsession days at a rate as
14 may be approved from time to time by the Committee on Rules,
15 but not in excess of the maximum mileage rate authorized by
16 the Federal Government for travel; voucher only.

17 (b) Miscellaneous transportation on legislative business
18 (taxi, airport limousine parking, tolls), and expenses of a
19 similar nature; voucher only for any single expense not in
20 excess of \$10.

21 (c) Travel on legislative business by common carrier
22 other than taxi and airport limousine; voucher and receipt
23 from common carrier.

24 (d) Car rental; voucher and receipt from rental agency
25 but reimbursement not to exceed in any month an amount as may
26 be approved from time to time by the Committee on Rules. Any
27 amount in excess of the said amount shall be paid by the
28 person renting the car. In no event shall other than American
29 manufactured cars be rented.

30 (e) Lodging, restaurant charges and other miscellaneous

1 and incidental expenses while away from home. Vouchers only
2 for per diem allowance approved from time to time by the
3 Committee on Rules, but not in excess of the applicable
4 maximum per diem rate authorized by the Federal Government or
5 for actual expenses not in excess of such per diem rate.

6 (2) Administrative, clerical and professional services for
7 legislative business, except for employment of spouses or any
8 relatives, by blood or marriage.

9 (a) Administrative and clerical services; voucher and
10 receipt from person employed.

11 (b) Professional services; voucher and receipt and copy
12 of agreement or contract of employment.

13 (3) Rent for legislative office space; purchase of office
14 supplies; postage; telephone and answering services; printing
15 services and rental only of office equipment; voucher and
16 vendor's receipt, except for postage expense. No reimbursement
17 or expenditure shall be made out of any appropriation account
18 for any mass mailing including a bulk rate mailing made at the
19 direction or on behalf of any member which is mailed or
20 delivered to a postal facility within 60 days immediately
21 preceding any primary or election at which said member is a
22 candidate for public office.

23 Mass mailing shall mean a newsletter or similar mailing of
24 more than 50 pieces in which the content of the matter is
25 substantially identical. Nothing in this rule shall apply to any
26 mailing which is in direct response to inquiries or requests
27 from persons to whom matter is mailed, which is addressed to
28 colleagues in the General Assembly or other government officials
29 or which consists entirely of news releases to the
30 communications media.

1 (4) Official entertainment—restaurant and beverage charges;
2 voucher only for expenses. Receipts for entertainment expenses,
3 together with a statement of the reason for the expense, shall
4 be submitted with the request for reimbursement.

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

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

11 No money appropriated for members' and employees' expenses
12 shall be used for contributions to political parties or their
13 affiliated organizations or to charitable organizations or for
14 charitable advertisements.

15 No money may be expended within 60 days before a primary
16 election or within 60 days before a general election in even-
17 numbered years for:

18 (i) purchase of or the reimbursement for the purchase of any
19 radio or television broadcast time for public service
20 announcements [that depict the name, voice or image of a
21 member]; or

22 (ii) payment for telemarketing activities on behalf of a
23 member. This prohibition shall not apply to limited surveys to
24 determine public opinion on various issues.

25 A public service announcement under this rule shall clearly
26 state at the end of the public service announcement, "This
27 public service announcement has been paid for at taxpayers'
28 expense."

29 Members and employees shall not request reimbursement for the
30 private lease of vehicles leased on a long-term basis. No

1 payments will be made with respect to private, long-term lease
2 vehicle expenses incurred by members or employees except with
3 respect to private, long-term lease arrangements entered into by
4 a member prior to March 13, 2007, payments for which will be
5 made in accord with the rules in place on March 12, 2007. The
6 Chief Clerk is authorized to enter into a master lease agreement
7 with the Department of General Services for the long-term lease
8 of automobiles.

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

16 The Chief Clerk shall prescribe the form of all such reports
17 and make such forms available to those persons required to file
18 such reports. Such report form shall include:

19 (1) As to personnel:

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

24 (b) The appropriation account from which such employee
25 is compensated, the amount of compensation and whether such
26 person is on salary, per diem or contract.

27 (2) As to all other expenditures:

28 (a) To whom it was paid, the amount thereof, and the
29 nature of the goods, services or other purpose for which the
30 expenditure was made.

1 (b) The appropriation account from which the expenditure
2 was made and the name or names of the person or persons
3 requesting and/or authorizing the same.

4 The reporting requirements as to personnel may be fulfilled
5 by the maintenance in the Office of the Chief Clerk of the House
6 of an alphabetized file containing the current information for
7 each employee as set forth above.

8 All monthly reports filed on disbursements made or debts
9 incurred by any officer or member or employee from
10 appropriations made to the House or to a member or nonmember
11 officer under any General Appropriation Act, and the
12 documentation for each disbursement, shall be public information
13 and shall be available in accordance with the act of February
14 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

15 All vouchers and requisitions relating to all expenditures,
16 expenses, disbursements and other obligations out of all
17 appropriated funds of the House, and the documentation
18 evidencing payment of the vouchers and requisitions, shall be
19 available in accordance with the Right-to-Know Law.

20 All requests for reimbursement out of any appropriation shall
21 be accompanied by a voucher, or other documents where required,
22 evidencing payment or approval. All requests for reimbursement
23 out of any appropriation payable to a member, nonmember officer
24 or employee shall be void if not submitted within 90 days of the
25 date that the otherwise allowable expense is incurred for any
26 and all otherwise allowable expenses, including without
27 limitation, per diem, mileage and actual expenses incurred. Any
28 such void request for reimbursement may not be paid except
29 pursuant to a motion to suspend this rule for good cause
30 specific to the voided request for reimbursement. In no event

1 shall any payment or reimbursement be made for any otherwise
2 allowable expense incurred on or before March 12, 2007. The
3 voucher form shall be approved and supplied by the Chief Clerk.
4 Receipts or documentation of every expenditure or disbursement
5 which is in excess of the maximum amount as set forth herein
6 shall be attached to the voucher. Where a request for payment is
7 made in advance of an expense actually incurred, the Chief
8 Clerk, before making such advance payment shall require a
9 description satisfactory to the Chief Clerk of the item or
10 service to be purchased or the expense to be incurred, and a
11 receipt or other documentation shall be given to the Chief Clerk
12 after the item or service has been purchased or expense incurred
13 as evidence that such advancement was in fact expended for such
14 purpose.

15 All reports, vouchers and receipts from which reports are
16 prepared and filed shall be retained by the Chief Clerk, officer
17 or member, as the case may be, for such period of time as may be
18 necessary to enable the Legislative Audit Advisory Commission
19 created pursuant to the act of June 30, 1970 (P.L.442, No.151),
20 entitled "An act implementing the provisions of Article VIII,
21 section 10 of the Constitution of Pennsylvania, by designating
22 the Commonwealth officers who shall be charged with the function
23 of auditing the financial transactions after the occurrence
24 thereof of the Legislative and Judicial branches of the
25 government of the Commonwealth, establishing a Legislative Audit
26 Advisory Commission, and imposing certain powers and duties on
27 such commission," to conduct, through certified public
28 accountants appointed by it, annual audits to assure that such
29 disbursements made or debts incurred were in accordance with
30 Legislative Audit Advisory Commission guidelines and standards

1 as approved by the Committee on Rules, or for a minimum of three
2 years, whichever is longer. All annual audit reports shall be
3 available for public inspection. Photocopies of such reports
4 shall be available for a fee established by the Chief Clerk not
5 to exceed the cost of duplication.

6 Except as specifically prohibited by law or limited by this
7 rule, all expenditures of funds appropriated to the House or to
8 a member or nonmember officer shall be subject to the
9 expenditure guidelines established by the Rules Committee. The
10 Rules Committee shall establish standards regarding
11 documentation evidencing payment out of any appropriations
12 account made to the House or to a member or nonmember officer.

13 The Bipartisan Management Committee shall receive and review
14 suggestions from the Comptroller on ways to reduce costs and
15 improve the fiscal operations of the House. The Comptroller,
16 following authorization by the Bipartisan Management Committee,
17 shall implement cost-reducing and other new measures to improve
18 the fiscal operations of the House.