

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 252

Session of
1978

INTRODUCED BY MESSRS. RITTER, MILLIRON, MRS. WISE, MESSRS.
DiCARLO, COWELL, ZWIKL, KOWALYSHYN, REED, SALVATORE, NOYE,
D. M. FISHER, TRELLO, GALLEN, ZORD, MRS. KERNICK, MESSRS.
D. R. WRIGHT, HASKELL, HALVERSON, YOHNN, MISS SIRIANNI,
MR. PICCOLA, MRS. TAYLOR, MESSRS. McCLATCHY, R. R. FISCHER,
D. S. HAYES, LEVIN, MOWERY AND SCHEAFFER, SEPTEMBER 21, 1978

AS AMENDED IN THE HOUSE OF REPRESENTATIVES, SEPTEMBER 26, 1978

In the House of Representatives, September 21, 1978

1 RESOLVED, That the Rules of the House of Representatives be
2 amended by adding a Rule to read:

3 RULE 47 (a)

4 Special Committee on Internal Affairs

5 and House Administration

6 (1) The Committee shall consist of the Speaker, Majority
7 Leader, Minority Leader, ~~five~~ FOUR members of the Majority <—
8 Party, one of whom shall be named Chairperson, and five members
9 of the Minority Party. All appointments shall be made by the
10 Speaker, including the Chairperson.

11 (2) The powers and duties of the Committee shall include,
12 but not be limited to the following:

13 (a) To review all public accounts under the control or
14 jurisdiction of the Chief Clerk, Secretary, Comptroller,
15 Minority Administrator, ~~all persons~~ STAFF ADMINISTRATOR, <—

1 MAJORITY AND MINORITY COMMITTEE CHAIRPERSONS, ALL MEMBERS
2 elected by the respective caucuses and any other MEMBER OR <—
3 person elected by the membership of the House.

4 (b) Such review shall be conducted at least quarterly and at
5 such other times as the Committee may choose.

6 (c) The findings of each review shall be published in a
7 Committee report and shall be available for public inspection. A
8 copy of said report shall be furnished to any interested person
9 upon request AND PAYMENT OF THE ACTUAL COST TO DUPLICATE THE <—
10 SAME.

11 (d) The Committee may promulgate rules and regulations to
12 carry out the purview of this Rule and WHICH SHALL BE <—
13 DISTRIBUTED TO THE MEMBERS OF THE HOUSE AND WHICH shall remain
14 in effect unless voided by a majority vote of the members of <—
15 ELECTED TO the House. <—

16 (E) WITHIN THIRTY DAYS OF THE CONVENING OF EACH SESSION OF <—
17 THE GENERAL ASSEMBLY, EACH OF THE PERSONS REFERRED TO IN SECTION
18 (2)(A) SHALL FILE A REPORT WITH THE COMMITTEE AS TO ALL ACCOUNTS
19 UNDER THEIR CONTROL OR JURISDICTION CONTAINING SUCH INFORMATION
20 WITH REFERENCE THERETO AS SHALL BE REQUIRED BY THE COMMITTEE TO
21 ENABLE IT TO MAKE ITS REPORT.

22 (3) Within 60 days of the convening of each session of the
23 General Assembly, the Committee shall issue an initial report
24 which shall include the following:

25 (a) The name, home address and social security number of all
26 employees compensated from any account under the control or
27 jurisdiction of the persons enumerated in paragraph (2)(a).

28 (b) The compensation of each employee along with an
29 indication of whether the employee is salaried, per diem ON FEE <—
30 CONTRACT or other.

1 (c) The appropriation account from which said employee is
2 compensated.

3 (d) The employee's job title, a description of the
4 employee's duties, where they are performed and the minimum
5 number of hours to be worked each week.

6 (e) The name of the member or members (if any) to whom the
7 employee has been assigned.

8 ~~(4) Following the publication of the initial report, no~~ <—
9 ~~compensation of any nature whatsoever shall be provided to any~~
10 ~~employee or other person unless the information required under~~
11 ~~paragraph (3) has been filed with the Committee.~~

12 ~~(5) Except for those persons hired on a temporary or~~
13 ~~emergency basis for a period not to exceed ten days, the~~
14 ~~Committee shall approve or disapprove all hirings, dismissals,~~
15 ~~pay raises and/or promotions and changes in the employees~~
16 ~~duties, including the place of employment. All such actions by~~
17 ~~the Committee shall be recorded and available for public~~
18 ~~inspection as provided in paragraph (2)(c).~~

19 ~~(6) Prior to the publication of the initial report, all~~
20 ~~employees shall be considered conditional and/or temporary and~~
21 ~~may be dismissed by the Committee upon sufficient cause shown.~~

22 (4) THE REPORT SHALL BE AVAILABLE FOR PUBLIC INSPECTION AND <—
23 A COPY OF SAID REPORT SHALL BE FURNISHED TO ANY INTERESTED
24 PERSON UPON REQUEST AND PAYMENT OF THE ACTUAL COST TO DUPLICATE
25 THE SAME. FOLLOWING PUBLICATION OF THE INITIAL REPORT ALL THE
26 PERSONS REFERRED TO IN SECTION (2)(A) SHALL FILE WITH THE
27 COMMITTEE THE INFORMATION REQUIRED UNDER SECTION (3) AS TO ANY
28 EMPLOYEE WHO IS THEREAFTER HIRED, DISMISSED OR WHOSE
29 COMPENSATION, PLACE OF EMPLOYMENT OR DUTIES ARE SUBSTANTIALLY
30 CHANGED WITHIN TEN DAYS OF SAID CHANGE IN STATUS.

1 ~~(7)~~ (5) Each subsequent report by the Committee shall <—
2 include an accounting of disbursements from all accounts
3 specified in paragraph (2)(a) IN SUCH FORM AS THE COMMITTEE <—
4 SHALL DETERMINE. THE ORIGINAL VOUCHERS AND RECEIPTS FOR THE
5 DISBURSEMENTS MADE AFTER THE EFFECTIVE DATE OF THE ADOPTION OF
6 THIS RULE SHALL BE RETAINED BY THE PERSON MAKING THE
7 DISBURSEMENT PROVIDED A COPY OF SAME SHALL BE SUBMITTED TO THE
8 COMMITTEE AND BE AVAILABLE FOR PUBLIC INSPECTION. The personnel
9 section, however, need only contain any changes in the
10 compensation, duties and location of any employee. Information
11 on any employee hired subsequent to the last report shall be
12 provided in the same manner as employees listed in the initial
13 report required by paragraph (3).

14 ~~(8) Unless specifically authorized by the Committee in~~ <—
15 ~~writing, no employee shall be assigned, hired or otherwise~~
16 ~~engaged to regularly perform duties outside the confines of the~~
17 ~~Capitol Complex in Harrisburg.~~

18 (6) NO EMPLOYEE SHALL BE ASSIGNED, HIRED OR OTHERWISE <—
19 ENGAGED TO REGULARLY PERFORM DUTIES OUTSIDE THE CITY OF
20 HARRISBURG UNLESS SPECIFICALLY AUTHORIZED IN WRITING BY THE
21 PERSON RESPONSIBLE FOR THEIR PERFORMANCE AND A COPY OF SAID
22 AUTHORIZATION IS FILED WITH THE COMMITTEE. SUCH PERSON SHALL
23 HAVE THIRTY DAYS AFTER ADOPTION OF THIS RULE TO COMPLY INITIALLY
24 WITH SUCH WRITTEN AUTHORIZATION REQUIREMENT.

25 ~~(9)~~ (7) In order to assist the Committee in carrying out the <—
26 provisions of this Rule, all persons referred to in paragraph
27 (2)(a) shall, not later than the fifth day of the month
28 following the end of each quarterly reporting period, submit to
29 the Committee on a form prescribed by the Committee in addition
30 to the information required under paragraph (3) the following

1 information:

2 (a) If a disbursement was made to an employee, the name of
3 said employee, the amount thereof and the account from which it
4 was paid.

5 (b) If a disbursement was made to an entity or a person
6 other than an employee, a description or purpose for which it
7 was made, to whom it was paid, the amount thereof and the
8 account from which it was paid.

9 (c) The name of the person who requested and/or authorized
10 that the money be paid.

11 ~~(10) Upon approval by the Committee of the employees,~~ <—
12 ~~duties, compensation, etc., pursuant to this Rule, no changes in~~
13 ~~employee status or compensation shall be effective unless~~
14 ~~approved by the Committee as required under paragraph (5).~~

15 ~~(11)~~ (8) Before an employee is assigned to a member or
16 members, said member or members shall indicate their acceptance
17 of said employee on a form prescribed by the Committee and said
18 member or members shall thereafter be responsible for the
19 faithful performance by the employee of his or her designated
20 duties.

21 ~~(12)~~ ~~(a)~~ ~~Any~~ (9) (A) ANY MEMBER OR nonmember having funds <—
22 under his or her control or jurisdiction who INTENTIONALLY <—
23 provides any remuneration REMUNERATION to another person in an <—
24 apparent violation of this Rule or any employee who
25 INTENTIONALLY accepts any remuneration REMUNERATION without <—
26 providing the required services or in any other OTHERWISE <—
27 RECEIVES PUBLIC FUNDS TO WHICH HE OR SHE IS NOT ENTITLED IN ANY
28 OTHER apparent violation of this Rule, shall be suspended <—
29 without pay NOTIFIED IN WRITING BY THE COMMITTEE OF SUCH ALLEGED <—
30 VIOLATION. Immediately following such action NOTICE, the <—

1 Committee shall turn over all pertinent information on the
2 matter to the House Ethics Committee, which shall conduct an
3 immediate investigation of the allegations AND REPORT TO THE <—
4 HOUSE WITHIN SIXTY DAYS. Should the Ethics Committee determine <—
5 that a violation has occurred, the person or persons so involved
6 shall be discharged from employment effective the date of the
7 suspension and said person or persons shall not thereafter be
8 eligible for further employment by the House. Should the Ethics
9 Committee determine that no violation has occurred, such
10 suspended person or persons shall immediately be reinstated and
11 compensated for his or her lost wages. THE ETHICS COMMITTEE <—
12 SHALL MAKE A RECOMMENDATION TO THE HOUSE FOR APPROPRIATE ACTION
13 BY THE HOUSE WHICH MAY INCLUDE A RECOMMENDATION THAT THE PERSON
14 OR PERSONS SO INVOLVED SHALL BE DISCHARGED FROM EMPLOYMENT AND
15 SAID PERSON OR PERSONS SHALL NOT THEREAFTER BE ELIGIBLE FOR
16 FURTHER EMPLOYMENT BY THE HOUSE AND/OR A RECOMMENDATION TO THE
17 HOUSE OR RESPECTIVE CAUCUS THAT SAID MEMBER BE REMOVED FROM HIS
18 OR HER LEADERSHIP POSITION AND THE HOUSE OR RESPECTIVE CAUCUS
19 SHALL THEN ACT ON SAID RECOMMENDATION WITHIN FIVE LEGISLATIVE
20 DAYS.

21 (b) Whenever a determination is made that a violation has
22 occurred, the Committee shall utilize all available means to
23 recover the moneys disbursed in violation of this Rule.

24 (c) Any member as provided in paragraph (2)(a), having funds <—
25 under his or her control or jurisdiction who disburses funds to
26 another person in an apparent violation of this Rule shall at
27 the direction of the Committee temporarily vacate his or her
28 leadership position. The Committee shall forthwith notify the
29 Ethics Committee of its action and it shall be the
30 responsibility of the Ethics Committee to hold an investigation

1 ~~of the matter.~~

2 ~~(d) Should the Ethics Committee determine that a violation~~
3 ~~of this Rule has occurred, it shall recommend to the House or~~
4 ~~respective caucus that said member be removed from his or her~~
5 ~~Leadership position and the House or the respective caucus shall~~
6 ~~then act on said recommendation within five legislative days.~~
7 ~~Upon affirmative action on the recommendation, the Committee on~~
8 ~~Internal Affairs and House Administration shall utilize all~~
9 ~~available measures to recover such disbursements made in~~
10 ~~violation of this Rule.~~

11 ~~(e) If the Ethics Committee finds that no violation has~~
12 ~~occurred, it shall so inform the members of the House and the~~
13 ~~member who temporarily vacated his or her Leadership position~~
14 ~~shall immediately resume such position without prejudice.~~

15 ~~(13)~~ (10) The Committee is authorized to employ the services
16 of an Executive Director, a secretary and not more than three
17 other persons to assist it in the performance of its duties.
18 Said employees shall be compensated in the same manner ~~as~~ AND <—
19 PAY RANGE AS IS comparable employees of the several Standing
20 House Committees.

21 ~~(14)~~ (11) All meetings of the Committee shall be open to the <—
22 public and the votes of the members recorded. No action may be
23 taken without a quorum present and without a majority vote of
24 those members present. A quorum shall consist of at least seven
25 members. The Committee may meet in executive session from time
26 to time subject to the limitations of the act of July 19, 1974
27 (P.L.486, No.175), referred to as the Public Agency Open Meeting
28 Law.