

THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE RESOLUTION

No. 616 Session of  
2008

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INTRODUCED BY CUTLER, BEAR, BENNINGHOFF, BOYD, HENNESSEY,  
HICKERNELL, McILVAINE SMITH, MURT, NAILOR, REED, ROAE,  
RUBLEY, SCHRODER, STERN, SWANGER AND TRUE, MARCH 5, 2008

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REFERRED TO COMMITTEE ON RULES, MARCH 5, 2008

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## 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       A member shall not create, maintain or cause to be created or  
16 maintained a legislative nonprofit organization. A "legislative  
17 nonprofit organization" means a nonprofit corporation or other  
18 entity whose primary purpose is to receive funds under the  
19 General Appropriation Act or another appropriations act at the  
20 discretion or by reason of the influence of a member for the use  
21 at the direction or discretion of the member. The Ethics  
22 Committee shall issue to any member upon such member's request  
23 an opinion with respect to such member's duties under this rule.  
24 The Ethics Committee shall, within 14 days, issue the opinion.  
25 No member who acts in good faith on an opinion issued to that  
26 member by the Ethics Committee shall be subject to any sanctions  
27 for so acting, provided that the material facts are as stated in  
28 the opinion request. The Ethics Committee's opinions shall be  
29 public records and may from time to time be published. The  
30 member requesting the opinion may, however, require that the

1 opinion shall contain such deletions and changes as shall be  
2 necessary to protect the identity of the persons involved.

3 No money may be expended within 60 days before a primary  
4 election or within 60 days before a general election in even-  
5 numbered years for:

6 (i) purchase of or the reimbursement for the purchase of any  
7 radio or television broadcast time for public service  
8 announcements [that depict the name, voice or image of a  
9 member]; or

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

13 A public service announcement under this rule may not depict  
14 the name, voice or image of a member. A public service  
15 announcement under this rule shall clearly state at the end of  
16 the public service announcement, "This public service  
17 announcement has been paid for at taxpayers' expense."

18 Members and employees shall not request reimbursement for the  
19 private lease of vehicles leased on a long-term basis. No  
20 payments will be made with respect to private, long-term lease  
21 vehicle expenses incurred by members or employees except with  
22 respect to private, long-term lease arrangements entered into by  
23 a member prior to the effective date of this rule, payments for  
24 which will be made in accord with the rules in place on the day  
25 before the effective date of this rule. The Chief Clerk is  
26 authorized to enter into a master lease agreement with the  
27 Department of General Services for the long-term lease of  
28 automobiles.

29 All disbursements made, debts incurred or advancements paid  
30 from any appropriation account made to the House or to a member

1 or nonmember officer under a General Appropriation Act or any  
2 other appropriation act shall be recorded in a monthly report  
3 and filed with the Chief Clerk by the person authorized to make  
4 such disbursement, incur any debt or receive any advancement on  
5 a form prescribed by the Chief Clerk.

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

9 (1) As to personnel:

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

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

17 (2) As to all other expenditures:

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

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

24 A copy of each such report shall also be filed with the  
25 Special Committee on Internal Affairs and House Administration  
26 for use in the performance of its duties under Rule 47(a).

27 The reporting requirements as to personnel may be fulfilled  
28 by the maintenance in the Office of the Chief Clerk of the House  
29 of an alphabetized file containing the current information for  
30 each employee as set forth above.

1 All monthly reports filed on disbursements made or debts  
2 incurred by any officer or member or employee from  
3 appropriations made to the House or to a member or nonmember  
4 officer under any General Appropriation Act, and the  
5 documentation for each disbursement, shall be public information  
6 and shall be available for public inspection during regular  
7 business hours in the office of the Chief Clerk. The Chief Clerk  
8 shall prescribe reasonable rules and regulations for inspection  
9 of such reports but in no case shall inspection be denied to any  
10 person for a period exceeding 48 hours (excluding Saturdays and  
11 Sundays) from the time a written request has been submitted to  
12 the Chief Clerk. Photocopies of such reports shall be made  
13 available upon request to a member at no charge or to the public  
14 for a duplication fee as may be fixed by the Chief Clerk. Such  
15 reports shall be made available to a member or to the public on  
16 or before the last day of the month next succeeding the month in  
17 which the report was filed.

18 All vouchers and requisitions relating to all expenditures,  
19 expenses, disbursements and other obligations out of all  
20 appropriated funds of the House, and the documentation  
21 evidencing payment of the vouchers and requisitions, shall be  
22 available for public inspection during regular business hours in  
23 the office of the Chief Clerk or at such other location within  
24 the Capitol as the Chief Clerk shall prescribe. Nothing in this  
25 rule shall permit release of any information deemed  
26 confidential, including, but not limited to, a telephone number  
27 or call history, a credit card number and a Social Security  
28 number or a Federal or a State tax identification number.

29 All requests to review payroll and independent contractor  
30 records of the House or any other vouchers or requisitions for



1 funds appropriated to the House shall be made to the Chief  
2 Clerk, in writing, at least three working days prior to the date  
3 on which the review is requested. The request shall be signed by  
4 the party who will be making the review and it shall indicate  
5 the name of the organization or entity employing such  
6 individual. The Chief Clerk shall establish a time during normal  
7 business hours for the review to occur and he shall provide that  
8 the review shall not interfere with the necessary functioning of  
9 the Chief Clerk's office.

10 All requests for reimbursement out of any appropriation shall  
11 be accompanied by a voucher, or other documents where required,  
12 evidencing payment or approval. All requests for reimbursement  
13 out of any appropriation payable to a member, nonmember officer  
14 or employee shall be void if not submitted within 90 days of the  
15 date that the otherwise allowable expense is incurred for any  
16 and all otherwise allowable expenses, including without  
17 limitation, per diem, mileage and actual expenses incurred at  
18 any time from the adoption of this rule. Any such void request  
19 for reimbursement may not be paid except pursuant to a motion to  
20 suspend this rule for good cause specific to the voided request  
21 for reimbursement. The voucher form shall be approved and  
22 supplied by the Chief Clerk. Receipts or documentation of every  
23 expenditure or disbursement which is in excess of the maximum  
24 amount as set forth herein shall be attached to the voucher.  
25 Where a request for payment is made in advance of an expense  
26 actually incurred, the Chief Clerk, before making such advance  
27 payment shall require a description satisfactory to the Chief  
28 Clerk of the item or service to be purchased or the expense to  
29 be incurred, and a receipt or other documentation shall be given  
30 to the Chief Clerk after the item or service has been purchased

1 or expense incurred as evidence that such advancement was in  
2 fact expended for such purpose.

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

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