

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 764 Session of
2010

INTRODUCED BY YUDICHAK, McILVAINE SMITH, GRELL, DePASQUALE,
BEAR, CALTAGIRONE, CARROLL, CHRISTIANA, CREIGHTON, CUTLER,
GROVE, HANNA, HICKERNELL, MARSHALL, MELIO, MOUL, MURPHY,
MURT, PETRI, SANTARSIERO, K. SMITH, SWANGER, TRUE, VULAKOVICH
AND WANSACZ, APRIL 22, 2010

REFERRED TO COMMITTEE ON RULES, APRIL 22, 2010

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

1 for committee meetings or for travel to the State Capitol for
2 any reason, members cannot receive reimbursement in excess of
3 the applicable maximum per diem rate authorized by the Federal
4 Government. These expenses shall be paid by the Chief Clerk from
5 appropriation accounts under the Chief Clerk's exclusive control
6 and jurisdiction, upon a written request approved by the Speaker
7 of the House, or the Majority or the Minority Leader of the
8 House. All per diem payments made by the Chief Clerk's office
9 shall be made for actual expenses under the General Services
10 Administration/Actual Expenses Method as prescribed by rules
11 promulgated by the Internal Revenue Service. No other option
12 shall be utilized for payments of per diems or expenses.

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

1 Members and employees traveling outside the Commonwealth of
2 Pennsylvania who receive any reimbursement for expenses or
3 travel which reimbursement is from public funds shall file with
4 the Chief Clerk a statement containing his or her name and the
5 name, place, date and the purpose of the function.

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

14 Such allowable expenses of members may be used for any
15 legislative purpose or function, including but not limited to
16 the following:

17 (1) Travel expense on legislative business.

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

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

26 (c) Travel on legislative business by common carrier
27 other than taxi and airport limousine; voucher and receipt
28 from common carrier.

29 (d) Car rental; voucher and receipt from rental agency
30 but reimbursement not to exceed in any month an amount as may

1 be approved from time to time by the Committee on Rules. Any
2 amount in excess of the said amount shall be paid by the
3 person renting the car. In no event shall other than American
4 manufactured cars be rented.

5 (e) Lodging, restaurant charges and other miscellaneous
6 and incidental expenses while away from home. Vouchers only
7 for per diem allowance approved from time to time by the
8 Committee on Rules, but not in excess of the applicable
9 maximum per diem rate authorized by the Federal Government or
10 for actual expenses not in excess of such per diem rate.

11 (2) Administrative, clerical and professional services for
12 legislative business, except for employment of spouses or any
13 relatives, by blood or marriage.

14 (a) Administrative and clerical services; voucher and
15 receipt from person employed.

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

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

28 Mass mailing shall mean a newsletter or similar mailing of
29 more than 50 pieces in which the content of the matter is
30 substantially identical. Nothing in this rule shall apply to any

1 mailing which is in direct response to inquiries or requests
2 from persons to whom matter is mailed, which is addressed to
3 colleagues in the General Assembly or other government officials
4 or which consists entirely of news releases to the
5 communications media.

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

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

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

16 No money appropriated for members' and employees' expenses
17 shall be used for contributions to political parties or their
18 affiliated organizations or to charitable organizations or for
19 charitable advertisements.

20 No money may be expended within 60 days before a primary
21 election or within 60 days before a general election in even-
22 numbered years for:

23 (i) purchase of or the reimbursement for the purchase of any
24 radio or television broadcast time for public service
25 announcements that depict the name, voice or image of a member;
26 or

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

30 Members and employees shall not request reimbursement for the

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

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

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

20 (1) As to personnel:

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

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

28 (2) As to all other expenditures:

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

1 expenditure was made.

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

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

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

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

21 All requests for reimbursement out of any appropriation shall
22 be accompanied by a voucher, or other documents where required,
23 evidencing payment or approval. All requests for reimbursement
24 out of any appropriation payable to a member, nonmember officer
25 or employee shall be void if not submitted within 90 days of the
26 date that the otherwise allowable expense is incurred for any
27 and all otherwise allowable expenses, including without
28 limitation, per diem, mileage and actual expenses incurred. Any
29 such void request for reimbursement may not be paid except
30 pursuant to a motion to suspend this rule for good cause

1 specific to the voided request for reimbursement. In no event
2 shall any payment or reimbursement be made for any otherwise
3 allowable expense incurred on or before March 12, 2007. The
4 voucher form shall be approved and supplied by the Chief Clerk.
5 Receipts or documentation of every expenditure or disbursement
6 which is in excess of the maximum amount as set forth herein
7 shall be attached to the voucher. Where a request for payment is
8 made in advance of an expense actually incurred, the Chief
9 Clerk, before making such advance payment shall require a
10 description satisfactory to the Chief Clerk of the item or
11 service to be purchased or the expense to be incurred, and a
12 receipt or other documentation shall be given to the Chief Clerk
13 after the item or service has been purchased or expense incurred
14 as evidence that such advancement was in fact expended for such
15 purpose.

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

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

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

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