

**CREATING THE LEGISLATIVE DATA PROCESSING COMMITTEE**

**Act of Dec. 10, 1968, P.L. 1158, No. 365**

**Cl. 46**

**AN ACT**

Creating and establishing the Legislative Data Processing Committee: providing for its membership; prescribing its powers, functions and duties; and making an appropriation.

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

Section 1. (a) There is hereby created the Legislative Data Processing Committee which shall consist of two senators appointed by the President Pro Tempore of the Senate, two senators appointed by the Minority Leader of the Senate, two representatives appointed by the Speaker of the House of Representatives and two representatives appointed by the Minority Leader of the House of Representatives. In addition to the members set forth herein, the Secretary of the Senate and the Parliamentarian of the House of Representatives shall serve as nonvoting members of the committee. Members of the committee shall serve during each regular session of the General Assembly, and shall continue as members until the first Tuesday in January of the next odd-numbered year and until their respective successors shall qualify, provided they continue to be members of the Senate or the House of Representatives. The committee has a continuing existence and may meet and conduct its business at any place within the Commonwealth during the sessions of Legislature or any recess thereof and in the interim between sessions.

(b) Six members of the committee shall constitute a quorum and an affirmative vote of five members of the committee shall be necessary to pass on any matter requiring committee action.

(c) Nothing in this act or in any rules and regulations promulgated by the committee shall prohibit a member of the committee from participating in a meeting, executive session, deliberations or any other activity via telephone or other electronic medium.

(d) The committee shall adopt rules allowing for and governing the use of proxies by members of the committee, except that proxies may not be used to establish a quorum.

(1 amended July 5, 2005, P.L.52, No.17)

Section 2. The committee shall have the following powers and duties:

(1) To establish and operate a legislative data processing center incorporating a system or systems which will be capable of storing and retrieving all of the financial, factual, procedural and legal information necessary to serve all of the committees, officers and agencies of the General Assembly.

(1.1) With the approval of the Senate Committee on Management Operations and the Bi-partisan Management Committee of the House of Representatives, to provide access to public legislative information within the computer information systems operated by the committee to persons outside the General Assembly as the committee deems appropriate. Such access will be provided in the manner approved by the committee, the Senate Committee on Management Operations and the Bi-partisan Management Committee of the House of Representatives. No information residing in the computer information systems operated by the committee shall be released or disseminated by the committee or its employes to persons outside the General Assembly without the approval of:

(i) The Senate Committee on Management Operations if the document or information was originated, prepared, generated or maintained in whole or in part by the Senate.

(ii) The Bi-partisan Management Committee of the House of Representatives if the document or information was originated, prepared, generated or maintained in whole or in part by the House of Representatives.

(1.2) Notwithstanding paragraph (1.1), to provide access to information relating to bills, legislative histories and session calendars to the Governor's Office, the Office of Attorney General, the Auditor General, the State Treasurer, the heads of other departments and such other offices within State government as the committee, with the approval of the Senate Committee on Management Operations and the Bi-partisan Management Committee of the House of Representatives, shall determine.

(2) To appoint and employ an executive director, who shall be the chief executive officer of the committee, and such other personnel as the committee may deem necessary in the performance of its duties and to fix the compensation of such executive director and other personnel.

(3) To enter into contracts for the services of such professional, expert or technical services as the committee may deem necessary in the performance of its duties.

(4) To purchase or rent such equipment and supplies as the committee may deem necessary in the performance of its duties.

(5) To select its own chairman, vice-chairman and such other officers as the committee may deem necessary in the performance of its duties.

(6) To make such rules and regulations as the committee may deem necessary to properly carry out the purpose of the most efficient use of a legislative data processing system.

(2 amended May 7, 1998, P.L.352, No.55)

Section 3. The executive director shall perform such duties as shall be assigned to him by the Legislative Data Processing Committee and shall have the following qualifications to be eligible for appointment:

(1) A master's degree in mathematics, physics, computer technology or some related field of study from an accredited institution of higher learning; or

(2) A bachelor's degree from an accredited institution of higher learning and, in addition thereto, at least three years practical experience in computer technology; or

(3) At least five years practical experience in computer technology of which at least two years must have included administrative and technical responsibility for developing and implementing a computer oriented data processing system; or

(4) At least three years practical experience in developing computer data processing systems, and any partial combination of the foregoing experience qualifications which in the committee's judgment will result in the selection of an executive director capable of performing the duties prescribed in this legislation.

Section 4. No person designated by the committee as a professional employe, including the executive director, shall be a member of or delegate or alternate to any political convention, nor shall he participate at any such convention, except in the performance of his official duty or as a visitor, nor shall he serve as a member of any committee of any political party, or take an active part in political management or in political campaigns, or use his office or position to influence political movements or to influence the political action of any

officer or employe in the classified service, nor shall he circulate or seek signatures to any nominations or other petition required by any primary or election law, nor shall he seek or accept election, nomination or appointment as an officer of a political club or organization, or serve as a member of a committee of any such club or organization, nor shall he in any manner participate in or interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while counting the votes or returning the election material to the place provided by law for that purpose, save only for the purpose of making and depositing his own ballot as speedily as it reasonably can be done, nor shall he be within the polling place or within fifty feet thereof, except for the purpose of carrying out official duties and of ordinary travel or residence during the period of time beginning with one hour preceding the opening of the polls for holding such election and ending with the time when the election officers shall have finished counting the votes and have left the polling place for the purpose of depositing the election material in the place provided by law for that purpose: Provided, however, That the rights of any individual as a citizen are not impaired hereby, and the prerogative to attend meetings, to hear or see any candidate or nominee, or to express one's individual opinion, shall remain inviolate.

Section 5. The members of the committee shall serve without compensation but shall be reimbursed for their expenses incurred while attending sessions of the committee or meetings of any subcommittee of the committee, or while engaged on other committee business authorized by the committee, and in going to and coming from meetings of the committee or its subcommittees or for travel and other committee business when authorized by the committee.

Section 6. The unexpended and unencumbered balance of the appropriation of one hundred thousand dollars (\$100,000), to the Chief Clerk of the House of Representatives and the Secretary of the Senate jointly by the act of March 13, 1967 (Act No. 7-A), for the establishment and operation of a legislative data processing center is hereby appropriated to the Legislative Data Processing Committee for the same purposes.

Section 7. This act shall take effect immediately.