

CIVIL SERVICE ACT - STATE CIVIL SERVICE COMMISSION

Act of Oct. 5, 2011, P.L. 310, No. 76

Cl. 71

Session of 2011

No. 2011-76

HB 378

AN ACT

Amending the act of August 5, 1941 (P.L.752, No.286), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," further providing for definitions and for the State Civil Service Commission.

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

Section 1. Section 3 of the act of August 5, 1941 (P.L.752, No.286), known as the Civil Service Act, is amended by adding a definition to read:

Section 3. Definition of Terms.--In this act, unless the context otherwise clearly requires,--

* * *

(x) "Veteran" means an individual who served in the United States Armed Forces, including a reserve component or National Guard and who was honorably discharged or released from that service.

Section 2. Section 201 of the act, amended November 27, 2002 (P.L.1129, No.140), is amended to read:

Section 201. State Civil Service Commission.--(a) The State Civil Service Commission shall consist of three full-time members, not more than two of whom shall be of the same political affiliation, appointed by the Governor, with the advice and consent of a majority of the members elected to the Senate. Each appointment shall be for a term of six years or until a successor is appointed and qualified. The members of the commission shall hold no other public position to which a salary is attached. The Governor shall designate one of the members as chairman. No commission member shall hold any office or position, the duties of which are incompatible with his official duties. **At least one member of the commission must be a veteran.**

(b) The chairman of the commission shall receive a salary of sixty-five thousand dollars (\$65,000.00) per annum. Each other member of the commission shall receive a salary of sixty-two thousand five hundred dollars (\$62,500.00) per annum.

(b.1) The commissioners shall receive annual cost-of-living increases under section 3(e) of the act of September 30, 1983 (P.L.160, No.39), known as the "Public Official Compensation Law." Each commissioner shall be entitled to receive actual traveling expenses.

(c) Any person appointed as a member of the commission shall be a citizen and legal resident of the Commonwealth for a period of not less than one year who is in sympathy with modern personnel methods and the application of merit principles to public employment. No person who, within one year preceding his appointment, has been an officer of a political party shall be eligible to serve as a commissioner. The Governor may remove any member of the commission, but only for incompetence, inefficiency, neglect of duty, malfeasance or misfeasance in office by giving such member a statement in writing of the charges against him and affording him, after notice of not less than ten days, an opportunity of making written answer and, upon request, being publicly heard in person and by counsel. A copy of the charges and answer of the Governor's findings and a transcript of the record shall be filed with the secretary of the commission.

Section 3. The amendment of section 201 of the act shall apply to commission appointments made on or after the effective date of this section.

Section 4. This act shall take effect in 60 days.

APPROVED--The 5th day of October, A.D. 2011.

TOM CORBETT