

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1347 Session of
1997

INTRODUCED BY HERMAN, MICHLOVIC, NAILOR, STETLER, BOSCOLA,
FARGO, STAIRS, ITKIN, COY, BELARDI, PLATTS, HESS, NICKOL,
LESCOVITZ, TULLI, GORDNER, COWELL, DEMPSEY, DeLUCA,
HENNESSEY, MANDERINO, TRELLO, SCHRODER, RUBLEY, SEMMEL,
JOSEPHS, BUNT, MCGILL, KREBS, TRICH, WAUGH AND HERSHEY,
APRIL 17, 1997

SENATOR LOEPER, RULES AND EXECUTIVE NOMINATIONS, RE-REPORTED AS
AMENDED, DECEMBER 9, 1997

AN ACT

1 Amending the act of December 10, 1968 (P.L.1158, No.365),
2 entitled "An act creating and establishing the Legislative
3 Data Processing Committee: providing for its membership;
4 prescribing its powers, functions and duties; and making an
5 appropriation," FURTHER PROVIDING FOR COMMITTEE MEMBERSHIP <—
6 AND FOR MEETINGS; AND providing for access to computer
7 information systems by persons outside the General Assembly.

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

10 Section 1. ~~Section 2~~ SECTIONS 1 AND 2 of the act of December <—
11 10, 1968 (P.L.1158, No.365), entitled "An act creating and
12 establishing the Legislative Data Processing Committee:
13 providing for its membership; prescribing its powers, functions
14 and duties; and making an appropriation," ~~is~~ ARE amended to <—
15 read:

16 SECTION 1. (A) THERE IS HEREBY CREATED THE LEGISLATIVE DATA <—
17 PROCESSING COMMITTEE WHICH SHALL CONSIST OF TWO SENATORS

1 APPOINTED BY THE PRESIDENT PRO TEMPORE OF THE SENATE, [THE
2 MAJORITY LEADER OF THE SENATE,] TWO SENATORS APPOINTED BY THE
3 MINORITY LEADER OF THE SENATE, [THE MINORITY WHIP OF THE
4 SENATE,] TWO REPRESENTATIVES APPOINTED BY THE SPEAKER OF THE
5 HOUSE OF REPRESENTATIVES[, THE MAJORITY LEADER OF THE HOUSE OF
6 REPRESENTATIVES,] AND TWO REPRESENTATIVES APPOINTED BY THE
7 MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES [AND THE
8 MINORITY WHIP OF THE HOUSE OF REPRESENTATIVES]. EACH [SUCH
9 OFFICER] APPOINTED MEMBER OF THE SENATE AND THE HOUSE OF
10 REPRESENTATIVES MAY DESIGNATE ANOTHER MEMBER OF THEIR RESPECTIVE
11 HOUSES [TO BE A MEMBER OF THE COMMITTEE IN THEIR STEAD OR] TO
12 TEMPORARILY ACT ON BEHALF OF SUCH [OFFICER] MEMBER. IN ADDITION
13 TO THE MEMBERS SET FORTH HEREIN, THE SECRETARY OF THE SENATE AND
14 THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES SHALL SERVE AS
15 NONVOTING MEMBERS OF THE COMMITTEE. MEMBERS OF THE COMMITTEE
16 SHALL SERVE DURING EACH REGULAR SESSION OF THE GENERAL ASSEMBLY,
17 AND SHALL CONTINUE AS MEMBERS UNTIL THE FIRST TUESDAY IN JANUARY
18 OF THE NEXT ODD-NUMBERED YEAR AND UNTIL THEIR RESPECTIVE
19 SUCCESSORS SHALL QUALIFY, PROVIDED THEY CONTINUE TO BE MEMBERS
20 OF THE SENATE OR THE HOUSE OF REPRESENTATIVES. THE COMMITTEE HAS
21 A CONTINUING EXISTENCE AND MAY MEET AND CONDUCT ITS BUSINESS AT
22 ANY PLACE WITHIN THE COMMONWEALTH DURING THE SESSIONS OF
23 LEGISLATURE OR ANY RECESS THEREOF AND IN THE INTERIM BETWEEN
24 SESSIONS.

25 (B) [FIVE] SIX MEMBERS OF THE COMMITTEE SHALL CONSTITUTE A
26 QUORUM AND AN AFFIRMATIVE VOTE OF FIVE MEMBERS OF THE COMMITTEE
27 SHALL BE NECESSARY TO PASS ON ANY MATTER REQUIRING COMMITTEE
28 ACTION.

29 (C) NOTHING IN THIS ACT OR IN ANY RULES AND REGULATIONS
30 PROMULGATED BY THE COMMITTEE SHALL PROHIBIT A MEMBER OF THE

1 COMMITTEE OR A DESIGNEE FROM PARTICIPATING IN A MEETING,
2 EXECUTIVE SESSION, DELIBERATIONS OR ANY OTHER ACTIVITY VIA
3 TELEPHONE OR OTHER ELECTRONIC MEDIUM.

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

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

11 ~~(2)~~ (1.1) With the approval of the Senate Committee on <—
12 Management Operations and the Bi-partisan Management Committee
13 of the House of Representatives, to provide access to PUBLIC <—
14 legislative information within the computer information systems
15 operated by the committee to persons outside the General
16 Assembly as the committee deems appropriate. Such access will be
17 provided in the manner approved by the committee, the Senate
18 Committee on Management Operations and the Bi-partisan
19 Management Committee of the House of Representatives. No
20 information residing in the computer information systems
21 operated by the committee shall be released or disseminated by
22 the committee or its employes to persons outside the General
23 Assembly without the approval of:

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

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

1 ~~+(3)~~ (1.2) Notwithstanding paragraph ~~+(2)~~ (1.1), to provide <—
2 access to information relating to bills, legislative histories
3 and session calendars to the Governor's Office, THE OFFICE OF <—
4 ATTORNEY GENERAL, THE AUDITOR GENERAL, THE STATE TREASURER, the
5 heads of OTHER departments and such other offices within State <—
6 government as the committee, with the approval of the Senate
7 Committee on Management Operations and the Bi-partisan
8 Management Committee of the House of Representatives, shall
9 determine.

10 ~~+(2)~~ ~~+(4)~~ To appoint and employ an executive director, who <—
11 shall be the chief executive officer of the committee, and such
12 other personnel as the committee may deem necessary in the
13 performance of its duties and to fix the compensation of such
14 executive director and other personnel.

15 ~~+(3)~~ ~~+(5)~~ To enter into contracts for the services of such <—
16 professional, expert or technical services as the committee may
17 deem necessary in the performance of its duties.

18 ~~+(4)~~ ~~+(6)~~ To purchase or rent such equipment and supplies as <—
19 the committee may deem necessary in the performance of its
20 duties.

21 ~~+(5)~~ ~~+(7)~~ To select its own chairman, vice-chairman and such <—
22 other officers as the committee may deem necessary in the
23 performance of its duties.

24 ~~+(6)~~ ~~+(8)~~ To make such rules and regulations as the <—
25 committee may deem necessary to properly carry out the purpose
26 of the most efficient use of a legislative data processing
27 system.

28 Section 2. This act shall take effect immediately.