

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 410 Session of 2009

INTRODUCED BY MARSICO, BAKER, BARRAR, BELFANTI, BENNINGHOFF, BEYER, CALTAGIRONE, CAUSER, D. COSTA, CREIGHTON, ELLIS, EVERETT, FAIRCHILD, FLECK, GINGRICH, GRELL, HARHART, HARRIS, HESS, HUTCHINSON, M. KELLER, KIRKLAND, LONGIETTI, MAJOR, MILLER, MOUL, MUNDY, MURT, PAYNE, PETRI, QUINN, RAPP, READSHAW, REICHLEY, ROAE, ROCK, ROHRER, SIPTROTH, STEVENSON, TRUE, VULAKOVICH, WALKO, YOUNGBLOOD, GIBBONS AND GEIST, FEBRUARY 13, 2009

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, FEBRUARY 13, 2009

AN ACT

1 Amending the act of August 5, 1941 (P.L.752, No.286), entitled
2 "An act regulating and improving the civil service of certain
3 departments and agencies of the Commonwealth; vesting in the
4 State Civil Service Commission and a Personnel Director
5 certain powers and duties; providing for classification of
6 positions, adoption of compensation schedules and
7 certification of payrolls; imposing duties upon certain
8 officers and employees of the Commonwealth; authorizing
9 service to other State departments or agencies and political
10 subdivisions of the Commonwealth in matters relating to civil
11 service; defining certain crimes and misdemeanors; imposing
12 penalties; making certain appropriations, and repealing
13 certain acts and parts thereof," defining "veteran"; and
14 further providing for composition of the State Civil Service
15 Commission.

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

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

21 Section 3. Definition of Terms.--In this act, unless the

1 context otherwise clearly requires,--

2 * * *

3 (x) "Veteran" means an individual who served in the United
4 States Armed Forces, including a reserve component or National
5 Guard and who was discharged or released from service under
6 conditions other than dishonorable.

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

9 Section 201. State Civil Service Commission.--(a) The State
10 Civil Service Commission shall consist of three full-time
11 members, not more than two of whom shall be of the same
12 political affiliation, appointed by the Governor, with the
13 advice and consent of a majority of the members elected to the
14 Senate. Each appointment shall be for a term of six years or
15 until a successor is appointed and qualified. The members of the
16 commission shall hold no other public position to which a salary
17 is attached. The Governor shall designate one of the members as
18 chairman. No commission member shall hold any office or
19 position, the duties of which are incompatible with his official
20 duties. At least one member of the commission shall be a
21 veteran, as defined in section 3.

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

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

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

17 Section 3. The amendment of sections 3 and 201 of the act
18 shall apply to commission appointments made after the effective
19 date of this act.

20 Section 4. This act shall take effect immediately.