
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 289 Session of
2009

INTRODUCED BY CUTLER, CLYMER, HARRIS, MELIO, MENSCH, REICHLEY,
ROCK, STERN, TRUE AND VULAKOVICH, MAY 5, 2009

REFERRED TO COMMITTEE ON RULES, MAY 5, 2009

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
17 for committee meetings or for travel to the State Capitol for
18 any reason, members cannot receive reimbursement in excess of

1 the applicable maximum per diem rate authorized by the Federal
2 Government. These expenses shall be paid by the Chief Clerk from
3 appropriation accounts under the Chief Clerk's exclusive control
4 and jurisdiction, upon a written request approved by the Speaker
5 of the House, or the Majority or the Minority Leader of the
6 House.

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

25 Members and employees traveling outside the Commonwealth of
26 Pennsylvania who receive any reimbursement for expenses or
27 travel which reimbursement is from public funds shall file with
28 the Chief Clerk a statement containing his or her name and the
29 name, place, date and the purpose of the function.

30 Money appropriated specifically to and allocated under a

1 specific symbol number for allowable expenses of members of the
2 House of Representatives shall be reimbursed to each member upon
3 submission of vouchers and any required documentation by each
4 member on forms prepared by the Chief Clerk of the House. No
5 reimbursement shall be made from this account where a member is
6 directly reimbursed for the same purpose from any other
7 appropriation account.

8 Such allowable expenses of members may be used for any
9 legislative purpose or function, including but not limited to
10 the following:

11 (1) Travel expense on legislative business.

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

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

20 (c) Travel on legislative business by common carrier
21 other than taxi and airport limousine; voucher and receipt
22 from common carrier.

23 (d) Car rental; voucher and receipt from rental agency
24 but reimbursement not to exceed in any month an amount as may
25 be approved from time to time by the Committee on Rules. Any
26 amount in excess of the said amount shall be paid by the
27 person renting the car. In no event shall other than American
28 manufactured cars be rented.

29 (e) Lodging, restaurant charges and other miscellaneous
30 and incidental expenses while away from home. Vouchers only

1 for per diem allowance approved from time to time by the
2 Committee on Rules, but not in excess of the applicable
3 maximum per diem rate authorized by the Federal Government or
4 for actual expenses not in excess of such per diem rate.

5 (2) Administrative, clerical and professional services for
6 legislative business, except for employment of spouses or any
7 relatives, by blood or marriage.

8 (a) Administrative and clerical services; voucher and
9 receipt from person employed.

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

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

22 Mass mailing shall mean a newsletter or similar mailing of
23 more than 50 pieces in which the content of the matter is
24 substantially identical. Nothing in this rule shall apply to any
25 mailing which is in direct response to inquiries or requests
26 from persons to whom matter is mailed, which is addressed to
27 colleagues in the General Assembly or other government officials
28 or which consists entirely of news releases to the
29 communications media.

30 (4) Official entertainment—restaurant and beverage charges;

1 voucher only for expenses. Receipts for entertainment expenses,
2 together with a statement of the reason for the expense, shall
3 be submitted with the request for reimbursement.

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

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

10 No money appropriated for members' and employees' expenses
11 shall be used for contributions to political parties or their
12 affiliated organizations or to charitable organizations or for
13 charitable advertisements.

14 No money may be expended within 60 days before a primary
15 election or within 60 days before a general election in even-
16 numbered years for:

17 (i) purchase of or the reimbursement for the purchase of any
18 radio or television broadcast time for public service
19 announcements that depict the name, voice or image of a member;
20 or

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

24 No reimbursement or expenditure shall be made out of any
25 appropriation account made to the House or to a member or
26 nonmember officer under a General Appropriation Act or any other
27 appropriation act for the purpose of paying or reimbursing costs
28 for legal services incurred by a member or employee in the
29 defense of a criminal or civil matter brought against the member
30 or employee for conduct that is not protected by section 15 of

Article II of the Constitution of Pennsylvania. If reimbursement or expenditure is made for legal services incurred by a member or employee in the defense of a criminal or civil matter brought against the member or employee for conduct that is later determined to not be protected by section 15 of Article II of the Constitution of Pennsylvania, the member or employee shall repay the amount of the reimbursement or expenditure made. The Ethics Committee shall issue to any member upon the member's request an opinion with respect to the reimbursement or expenditure of costs for legal services incurred by a member or employee. The Ethics Committee shall, within 14 days, issue the opinion. The Ethics Committee's opinions shall be public records and may from time to time be published. The member requesting the opinion may, however, require that the opinion shall contain deletions and changes as shall be necessary to protect the identity of the persons involved.

Members and employees shall not request reimbursement for the private lease of vehicles leased on a long-term basis. No payments will be made with respect to private, long-term lease vehicle expenses incurred by members or employees except with respect to private, long-term lease arrangements entered into by a member prior to March 13, 2007, payments for which will be made in accord with the rules in place on March 12, 2007. The Chief Clerk is authorized to enter into a master lease agreement with the Department of General Services for the long-term lease of automobiles.

All disbursements made, debts incurred or advancements paid from any appropriation account made to the House or to a member or nonmember officer under a General Appropriation Act or any other appropriation act shall be recorded in a monthly report

1 and filed with the Chief Clerk by the person authorized to make
2 such disbursement, incur any debt or receive any advancement on
3 a form prescribed by the Chief Clerk.

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

7 (1) As to personnel:

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

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

15 (2) As to all other expenditures:

16 (a) To whom it was paid, the amount thereof, and the
17 nature of the goods, services or other purpose for which the
18 expenditure was made.

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

22 The reporting requirements as to personnel may be fulfilled
23 by the maintenance in the Office of the Chief Clerk of the House
24 of an alphabetized file containing the current information for
25 each employee as set forth above.

26 All monthly reports filed on disbursements made or debts
27 incurred by any officer or member or employee from
28 appropriations made to the House or to a member or nonmember
29 officer under any General Appropriation Act, and the
30 documentation for each disbursement, shall be public information

1 and shall be available in accordance with the act of February
2 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

3 All vouchers and requisitions relating to all expenditures,
4 expenses, disbursements and other obligations out of all
5 appropriated funds of the House, and the documentation
6 evidencing payment of the vouchers and requisitions, shall be
7 available in accordance with the Right-to-Know Law.

8 All requests for reimbursement out of any appropriation shall
9 be accompanied by a voucher, or other documents where required,
10 evidencing payment or approval. All requests for reimbursement
11 out of any appropriation payable to a member, nonmember officer
12 or employee shall be void if not submitted within 90 days of the
13 date that the otherwise allowable expense is incurred for any
14 and all otherwise allowable expenses, including without
15 limitation, per diem, mileage and actual expenses incurred. Any
16 such void request for reimbursement may not be paid except
17 pursuant to a motion to suspend this rule for good cause
18 specific to the voided request for reimbursement. In no event
19 shall any payment or reimbursement be made for any otherwise
20 allowable expense incurred on or before March 12, 2007. The
21 voucher form shall be approved and supplied by the Chief Clerk.
22 Receipts or documentation of every expenditure or disbursement
23 which is in excess of the maximum amount as set forth herein
24 shall be attached to the voucher. Where a request for payment is
25 made in advance of an expense actually incurred, the Chief
26 Clerk, before making such advance payment shall require a
27 description satisfactory to the Chief Clerk of the item or
28 service to be purchased or the expense to be incurred, and a
29 receipt or other documentation shall be given to the Chief Clerk
30 after the item or service has been purchased or expense incurred

1 as evidence that such advancement was in fact expended for such
2 purpose.

3 All reports, vouchers and receipts from which reports are
4 prepared and filed shall be retained by the Chief Clerk, officer
5 or member, as the case may be, for such period of time as may be
6 necessary to enable the Legislative Audit Advisory Commission
7 created pursuant to the act of June 30, 1970 (P.L.442, No.151),
8 entitled "An act implementing the provisions of Article VIII,
9 section 10 of the Constitution of Pennsylvania, by designating
10 the Commonwealth officers who shall be charged with the function
11 of auditing the financial transactions after the occurrence
12 thereof of the Legislative and Judicial branches of the
13 government of the Commonwealth, establishing a Legislative Audit
14 Advisory Commission, and imposing certain powers and duties on
15 such commission," to conduct, through certified public
16 accountants appointed by it, annual audits to assure that such
17 disbursements made or debts incurred were in accordance with
18 Legislative Audit Advisory Commission guidelines and standards
19 as approved by the Committee on Rules, or for a minimum of three
20 years, whichever is longer. All annual audit reports shall be
21 available for public inspection. Photocopies of such reports
22 shall be available for a fee established by the Chief Clerk not
23 to exceed the cost of duplication.

24 Except as specifically prohibited by law or limited by this
25 rule, all expenditures of funds appropriated to the House or to
26 a member or nonmember officer shall be subject to the
27 expenditure guidelines established by the Rules Committee. The
28 Rules Committee shall establish standards regarding
29 documentation evidencing payment out of any appropriations
30 account made to the House or to a member or nonmember officer.

1 The Bipartisan Management Committee shall receive and review
2 suggestions from the Comptroller on ways to reduce costs and
3 improve the fiscal operations of the House. The Comptroller,
4 following authorization by the Bipartisan Management Committee,
5 shall implement cost-reducing and other new measures to improve
6 the fiscal operations of the House.