

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 378 Session of 2011

INTRODUCED BY MARSICO, BAKER, BARRAR, BOBACK, BOYD, CALTAGIRONE, CAUSER, CLYMER, D. COSTA, DAVIS, ELLIS, EVERETT, FLECK, FREEMAN, GABLER, GEIST, GINGRICH, GOODMAN, HARHART, HARRIS, HESS, HORNAMAN, HUTCHINSON, M.K. KELLER, KILLION, KNOWLES, KORTZ, KOTIK, KULA, LONGIETTI, MAJOR, MICOZZIE, MILLER, MURPHY, MURT, OBERLANDER, PETRARCA, PYLE, RAPP, READSHAW, REICHLEY, ROAE, ROCK, SACCONI, K. SMITH, SONNEY, STEVENSON, SWANGER AND YOUNGBLOOD, FEBRUARY 1, 2011

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, FEBRUARY 1, 2011

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 employes 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," further providing for  
 14 definitions and for the State Civil Service Commission.

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

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

20 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 honorably discharged or released from that  
6 service.

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 must be a veteran.

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

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

30 (c) Any person appointed as a member of the commission shall

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

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

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