

No. 1981-90

AN ACT

SB 7

Amending the act of January 10, 1968 (1967 P.L.925, No.417), entitled "An act relating to officers and employes of the General Assembly; fixing the number, qualifications, compensation, mileage and duties of the officers and employes of the Senate and of the House of Representatives; providing for their election or appointment, term of office, or of service, removal and manner of filling vacancies; fixing the salary of the Director of the Legislative Reference Bureau; providing for compilation of lists of employes," eliminating the office of Senate Librarian, providing for the adoption of job classification and pay plans, creating a Senate Committee on Management Operations, providing for the transfer of certain appropriations within the Senate and making repeals.

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

Section 1. Section 1, act of January 10, 1968 (1967 P.L.925, No.417), entitled "An act relating to officers and employes of the General Assembly; fixing the number, qualifications, compensation, mileage and duties of the officers and employes of the Senate and of the House of Representatives; providing for their election or appointment, term of office, or of service, removal and manner of filling vacancies; fixing the salary of the Director of the Legislative Reference Bureau; providing for compilation of lists of employes," amended July 9, 1977 (P.L.75, No.27), is amended to read:

Section 1. The Senate shall, at the session immediately following the election of the members of the General Assembly, elect, in addition to the President pro tempore as provided for by the Constitution, **[the following officers] a Secretary-Parliamentarian and a Chief Clerk** who shall serve for two years or until their successors are elected and have qualified, unless sooner removed by a majority vote of all of the members of the Senate during any regular, special or extraordinary session of the General Assembly. **[Such officers heretofore or hereafter elected shall receive the compensation and perform the duties herein specified:**

(1) One Secretary at an annual salary of twenty thousand dollars (\$20,000);

(2) One Chief Clerk at an annual salary of sixteen thousand five hundred dollars (\$16,500);

(3) One Senate Librarian at an annual salary of fifteen thousand dollars (\$15,000).]

No person shall hold the position of **[Secretary,] Secretary-Parliamentarian or Chief Clerk [or Senate Librarian]** and at the same time hold any elective office in the Commonwealth or any of its political subdivisions or be employed in any capacity by the Commonwealth **or any of its political subdivisions.**

Section 2. Section 2 of the act is repealed.

Section 3. The act is amended by adding sections to read:

Section 1.1. There is hereby created the Senate Committee on Management Operations which will be composed of the President pro tempore who shall be chairman, the Majority Leader, the Minority Leader, the Majority Whip, the Minority Whip, the Majority Administrator and the Minority Administrator of the Senate.

Section 2.1. (a) The Senate Committee on Management Operations is authorized to prepare and adopt rules and regulations for uniform personnel policies and procedures, job classification and pay plans including periodic increments for Senate employes and officers as well as such other matters as are authorized in this act or the Rules of the Senate. Each such rule or regulation and any amendment thereto shall be prepared in resolution form and shall be placed on the Senate calendar for final approval or disapproval. Such resolution shall have the force and effect of law in accordance with its terms when it has been approved by the Senate. Any adopted resolution shall continue in force and effect until such time as it is amended, superseded, or repealed by another resolution adopted in accordance with the procedures established by this section.

(b) All actions of the Senate Committee on Management Operations under this act shall require the approval of at least a majority of the members of the committee present and voting. The Chief Clerk shall publish and maintain a handbook of all rules, regulations, policies and procedures which are promulgated by the Senate Committee on Management Operations under the authority of this act.

(c) The Senate Committee on Management Operations shall annually not later than September 15, review the job classification and pay plan and shall consider the need for a cost-of-living increase for Senate employes.

Section 2.2. The Majority and Minority Caucuses shall each establish a Legislative Management Committee which shall be composed of the Floor Leader who shall be chairman and so many additional caucus members as may be determined by each caucus. For the Majority Caucus, the President pro tempore, and for the Minority Caucus, the Minority Leader, shall each select a staff administrator who shall administer the fiscal and personnel matters of the caucus in conjunction with the Chief Clerk and perform such other duties as may be assigned.

Section 2.3. (a) The President, the President pro tempore, the Majority Leader, the Minority Leader, each Legislative Management Committee, the Appropriations Committee and the Minority Appropriations Committee and each other committee or officer to which funds may be authorized and appropriated for the hiring of staff shall submit to the Chief Clerk a plan of organization for all employes under such committee's or officer's jurisdiction and such modifications thereof as may be necessary from time to time.

(b) Each such plan or modification thereof shall include the following: (1) the job title of each employe; (2) description of each employe's duties; (3) the compensation of each employe; and (4) such other information as the Senate Committee on Management Operations may by its rules and regulations require.

(c) Each such plan or modification shall take effect upon submission to the extent that such plan does not conflict with the uniform job classification and pay plan adopted by the Senate Committee on Management Operations. Any plan or modification thereof shall be deemed to be in compliance with the rules and regulations of the Senate Committee on Management Operations unless the Chief Clerk shall, within two weeks, advise the officer or member submitting such plan that in his judgment it is in conflict with the job classification and pay plan adopted by the Senate Committee on Management Operations. He shall also advise the Chairman of the Senate Committee on Management Operations of his findings in writing and the chairman shall, at the request of the member or officer submitting such plan, place the matter before the Senate Committee on Management Operations for its approval or rejection.

(d) The Majority and Minority Leaders shall when they submit their respective plans of organization for employes under their jurisdiction include within such plan the employes for the officers of their respective caucuses. Such caucus officers shall be entitled to, and the plans submitted by the respective floor leaders shall include as a minimum, the same number of employes as were heretofore authorized to such caucus officers by this act whose authorized salaries shall not be less than the salaries authorized for those positions had the sections authorizing those appointments not been repealed.

Section 2.4. (a) The Chief Clerk shall be the chief fiscal officer of the Senate; shall prepare all payrolls; and shall pre-audit all vouchers submitted for reimbursement or payment from any appropriation made to the Senate. All such vouchers shall be matters of public record and shall be open for public inspection during normal business hours and copies of which shall be available at cost.

(b) The Chief Clerk shall be responsible for all day-to-day financial functions of the Senate and such related duties as shall be assigned by the President pro tempore or the Senate Committee on Management Operations and shall maintain central personnel files of all Senate employes. The following information shall be in each Senate employe's file, shall be a matter of public record and shall be open for public inspection during normal business hours:

- (1) full name of employe;**
- (2) address of employe;**
- (3) job title;**
- (4) description of duties;**
- (5) compensation; and**
- (6) such other information as the Senate shall prescribe by its rules.**

Section 2.5. *The Secretary-Parliamentarian shall be responsible for the supervision of the legislative affairs of the Senate and shall carry out such duties as may be provided by the laws of the Commonwealth, the Rules of the Senate, or such other matters as may be assigned by the President pro tempore. The Secretary-Parliamentarian shall also perform such duties as may be assigned to the Librarian of the Senate under any law of this Commonwealth.*

Section 2.6. *The Chief Clerk of the House of Representatives and the Chief Clerk of the Senate with the concurrence of the President pro tempore of the Senate may appoint such joint employes of the Senate and the House of Representatives as they shall deem necessary to provide joint services, security services, and emergency medical care. Compensation of such joint employes shall be determined jointly by the Chief Clerk of the House of Representatives and the Chief Clerk of the Senate with the concurrence of the President pro tempore.*

Section 4. Subsection (d) of section 21.1 of the act is repealed.

Section 5. Section 21.2 of the act, added December 10, 1979 (P.L.488, No.104), is amended to read:

Section 21.2. (a) The Bi-partisan Management Committee is authorized to prepare and adopt rules and regulations governing the following matters:

(1) Uniform policies and procedures relating to the keeping of inventory records of capital outlay items owned or purchased by the House of Representatives.

(2) Preparation of suggested budgets for all expenditures of the House or any committee or agency thereof including the Bi-partisan Management Committee, the Legislative Management Committees, the Offices of the Chief Clerk and comptroller of the House and submitting the same for final approval before transmission to the Budget Secretary.

(3) Insuring that proper prior authorization has been obtained for all expenditures and expenses of the House of Representatives including those of its officers, members and employes, that such expenditures are made for purposes prescribed by law or by rule of the House of Representatives and that adequate appropriated funds are available for disbursement.

(4) The preparation of all payrolls for the House of Representatives, including the certification of vouchers and transmission of same to the comptroller and maintaining the required and necessary expense and payroll records.

(5) Maintenance of records of disbursements from the House Appropriation Accounts by offices or departments, including standing committees, or other categories as needed, including classification as to type of disbursements.

(6) Preparation of monthly and other periodic reports of disbursements of the House of Representatives from an account subject to its control or the control of any officer, employe, committee or agency thereof.

(7) Planning and coordination of purchases in volume for the House of Representatives in order to take advantage of, and secure the economies made possible by, volume purchasing, and the negotiation and execution of purchasing agreements and contracts and the establishment of methods for obtaining competitive bid prices upon which the House may purchase.

(8) Taking advantage of Federal General Services Administration (GSA) contracts and State contracts negotiated by the Division of Purchasing of the Commonwealth Department of General Services.

(9) Establishment of uniform purchasing policies and procedures relating to the acquisition of supplies, capital outlay items and contractual services.

(10) Compilation of final reports of the work of each special or standing committee or subcommittee of the House.

(11) Maintenance and preservation of the books, memoranda, reports and records of each standing and special committee having permanent research value.

(12) Establishment and maintenance of a library adequate for the needs of the House.

(13) Maintenance of an exchange service with legislative service agencies of other states, the Federal Government, foreign governments, local units of government in this State, the Council of State Governments, and other agencies which carry on research in governmental problems, and through cooperation with such agencies, securing information for the members of the House.

(14) Maintenance of a bill status system supplying such information relating to all bills and resolutions prefiled or introduced during legislative sessions as the committee may deem necessary.

(15) Coordination in behalf of the House of all matters relative to legislative printing.

(16) Establishment of appropriate legislative internship programs.

(17) Development of uniform policies and procedures for the preservation and/or destruction of papers, documents and other writings or records.

(18) Development of uniform standards, policies and procedures for the acquisition, purchase or leasing of office or storage space for officers, members and employes of the House of Representatives both in the Capitol and throughout the Commonwealth.

(b) The committee is authorized to prepare and adopt rules and regulations for the promulgation and administration of uniform personnel policies and procedures, job classification and pay plans including periodic increments for all House employes and officers as well as other matters set forth in this section. Such regulations shall have the force and effect of law in accordance with its terms. Any adopted regulation shall continue in force until such time as it is amended, superseded or repealed by a subsequent regulation adopted in accordance with this section.

Section 6. Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 15.1, 15.2, 15.3, 18, 41(a) and 45 of the act are repealed.

Section 7. The Secretary-Parliamentarian and Chief Clerk of the Senate in office at the time this act becomes effective shall continue in office until the first Tuesday of January 1983, if not sooner removed by a majority vote of all the members of the Senate and shall receive the salaries provided heretofore until such time as the Senate Committee on Management Operations shall determine a salary for the officers.

Section 8. All employes of the Senate whose salaries were heretofore established pursuant to sections of this act which are repealed by this amendatory act shall continue to receive such compensation and increments as authorized heretofore until such time as a job classification and pay plan shall be adopted as provided herein.

Section 9. The appropriations made in any fiscal year to the Senate for "salaries and wages for salaried employes of the Senate and for per diem and session officers and employes including returning officers" remaining unexpended or unencumbered on the effective date of this amendatory act may be transferred in whole or in part by the Senate Committee on Management Operations in its discretion to such Senate appropriations as the committee shall deem necessary to implement the provisions of this act. Such power to transfer appropriations shall be limited to those appropriations already made on the date on which this amendatory act takes effect. All personnel paid heretofore from the appropriation for "salaries and wages for salaried employes of the Senate and for per diem and session officers and employes including returning officers" and all appropriations remaining unexpended and unencumbered for that purpose are hereby transferred to the positions and to the funds designated by the Senate Committee on Management Operations for the balance of the fiscal year in which this amendatory act takes effect.

Section 10. This act shall take effect immediately.

APPROVED—The 12th day of July, A. D. 1981.

DICK THORNBURGH