

No. 1998-55

AN ACT

HB 1347

Amending the act of December 10, 1968 (P.L.1158, No.365), entitled "An act creating and establishing the Legislative Data Processing Committee: providing for its membership; prescribing its powers, functions and duties; and making an appropriation," further providing for committee membership and for meetings; and providing for access to computer information systems by persons outside the General Assembly.

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

Section 1. Sections 1 and 2 of the act of December 10, 1968 (P.L.1158, No.365), entitled "An act creating and establishing the Legislative Data Processing Committee: providing for its membership; prescribing its powers, functions and duties; and making an appropriation," are amended to read:

Section 1. (a) There is hereby created the Legislative Data Processing Committee which shall consist of *two senators appointed* by the President Pro Tempore of the Senate, [~~the Majority Leader of the Senate,~~] *two senators appointed* by the Minority Leader of the Senate, [~~the Minority Whip of the Senate,~~] *two representatives appointed* by the Speaker of the House of Representatives[, ~~the Majority Leader of the House of Representatives,~~] *and two representatives appointed* by the Minority Leader of the House of Representatives [~~and the Minority Whip of the House of Representatives~~]. [Each such officer of the Senate and the House of Representatives may designate another member of their respective Houses to be a member of the committee in their stead or to temporarily act on behalf of such officer.] *In addition to the members set forth herein, the Secretary of the Senate and the Chief Clerk of the House of Representatives shall serve as nonvoting members of the committee.* Members of the committee shall serve during each regular session of the General Assembly, and shall continue as members until the first Tuesday in January of the next odd-numbered year and until their respective successors shall qualify, provided they continue to be members of the Senate or the House of Representatives. The committee has a continuing existence and may meet and conduct its business at any place within the Commonwealth during the sessions of Legislature or any recess thereof and in the interim between sessions.

(b) [~~Five~~] *Six* members of the committee shall constitute a quorum and an affirmative vote of five members of the committee shall be necessary to pass on any matter requiring committee action.

(c) Nothing in this act or in any rules and regulations promulgated by the committee shall prohibit a member of the committee from participating in a meeting, executive session, deliberations or any other activity via telephone or other electronic medium.

(d) The committee shall adopt rules allowing for and governing the use of proxies by members of the committee, except that proxies may not be used to establish a quorum.

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

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

(1.1) With the approval of the Senate Committee on Management Operations and the Bi-partisan Management Committee of the House of Representatives, to provide access to public legislative information within the computer information systems operated by the committee to persons outside the General Assembly as the committee deems appropriate. Such access will be provided in the manner approved by the committee, the Senate Committee on Management Operations and the Bi-partisan Management Committee of the House of Representatives. No information residing in the computer information systems operated by the committee shall be released or disseminated by the committee or its employes to persons outside the General Assembly without the approval of:

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

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

(1.2) Notwithstanding paragraph (1.1), to provide access to information relating to bills, legislative histories and session calendars to the Governor's Office, the Office of Attorney General, the Auditor General, the State Treasurer, the heads of other departments and such other offices within State government as the committee, with the approval of the Senate Committee on Management Operations and the Bi-partisan Management Committee of the House of Representatives, shall determine.

(2) To appoint and employ an executive director, who shall be the chief executive officer of the committee, and such other personnel as the committee may deem necessary in the performance of its duties and to fix the compensation of such executive director and other personnel.

(3) To enter into contracts for the services of such professional, expert or technical services as the committee may deem necessary in the performance of its duties.

(4) To purchase or rent such equipment and supplies as the committee may deem necessary in the performance of its duties.

(5) To select its own chairman, vice-chairman and such other officers as the committee may deem necessary in the performance of its duties.

(6) To make such rules and regulations as the committee may deem necessary to properly carry out the purpose of the most efficient use of a legislative data processing system.

Section 2. This act shall take effect immediately.

APPROVED—The 7th day of May, A.D. 1998.

THOMAS J. RIDGE