

JOINT COMMITTEE ON LEGISLATIVE SERVICES

RULES AND REGULATIONS

*To govern the Legislative Department in its
exercise of financial and personnel control,
independent of the Executive Department.*

CONTENTS

General Provisions.....	1
-------------------------	---

RULE		PAGE
I.	Expenditures.....	2
II.	Purchases.....	3
II A.	Other Common Services.....	3
II B.	Office space.....	4
III.	Personnel.....	4&5
III A.	Travel of Personnel.....	5&6
IV.	Appropriation Balances.....	6
V.	Appropriation Reductions.....	6&7
VI.	Appropriation Transfers.....	7
VII.	Amendments and Effective Date.....	8

GENERAL PROVISIONS

Purpose. The rules and regulations, hereinafter expressed, are made in compliance with Chapter 99 of the Public Laws, 1968, whose purpose is “to affirm the right of the Legislative Department to be independent of, and not subject to, financial and personnel controls exercised by the executive branch of government, in matters relating to the operation of the General Assembly, legislative agencies, and legislative committees and commissions.”

Authority to Exercise Controls. The Joint Committee on Legislative Services will be responsible for exercising the internal financial and personnel controls for each permanent and continuing office or agency within the Legislative Department, established by statute or otherwise, and to which funds are specifically appropriated, namely, the House Finance Committee Fiscal Advisory Staff, the Legislative Council, the Auditor General, the Joint Committees on Legislative Services and committees and commissions of the legislative Department.

Expenditures. All expenditures made by each legislative agency must conform to the general intent for which appropriated, except when due to emergency conditions or unforeseen circumstances.

RULE I. EXPENDITURES

Budget Request. All legislative agencies, committees and commissions will provide the JCLS Administrative Office with an estimate of expenditure requests in the same manner and at the same time as all other agencies of government, as provided by law. The requests will be made on forms provided by the JCLS Administrative Office and reviewed by the Joint Committee on Legislative Services.

Work Program. After review by the Chairman of the Joint Committee on Legislative Services, the JCLS Administrative Office will provide the State Budget Office with a work program of expected expenditures in the same manner and at the same time as other agencies of government, but the State Budget Office shall in no way revise or alter the work program when submitted.

Appropriation Allotments. The State Budget Office will make appropriation allotments to the controller for all legislative appropriation accounts as submitted by the JCLS Administrative Office on behalf of all legislative agencies, committees and commissions in the work program when submitted.

Budgetary Control. The budget officer and the state controller shall exercise no budgetary control over the legislative agencies, committees and commissions except as to the legality and accuracy of expenditures.

RULE II. PURCHASES

Use of Services. Whenever practicable, all legislative agencies, committees and commissions may use the facilities of the centralized purchasing office.

Purchase of Contractual Services. All legislative agencies shall be permitted to retain such professional, technical and consulting services as they deem necessary, and to set the amounts and terms of such services contracts, subject to the approval of the Chairman and where practicable, subject to the approval of the Joint Committee on Legislative Services at its next meeting.

RULE II A. OTHER COMMON SERVICES

Use of Services. Wherever practicable, all legislative agencies, committees and commissions will use the common services and facilities available to other state agencies. These services will include, but are not limited to: the public buildings utility, maintenance, custodial and janitorial services, payroll and data processing, the central mail room, central stores, telephone switchboard and motor pool.

Cost of Services. Wherever such services are rendered on cost basis to state agencies, the same charges will apply to legislative agencies and be paid from each legislative appropriation account in the same manner as paid by all other state agencies. No services will be charged legislative agencies, however, that are not paid by all other agencies except when mutually agreed upon.

RULE II B. OFFICE SPACE

Space Requirements. The Joint Committee on Legislative Services will review annually the office space requirements of legislative agencies, committees and commissions and assign and reassign space accordingly within its total allocation.

Procuring of Space. Whenever additional space becomes necessary to properly discharge legislative responsibilities, the Joint Committee on Legislative Services will negotiate with the State Division of Public Buildings to satisfy such needs. In the event that space requirements cannot be satisfied adequately in the opinion of the Joint Committee within the State House proper, the Joint Committee is authorized to conduct negotiations with private parties and to contract for space on such terms, as it deems proper.

RULE III. PERSONNEL

Authority to Establish Positions. The establishment of positions, the salaries of such positions, and the appointment of professional, technical, clerical assistants and contractual personnel shall be determined by the Joint Committee on Legislative Services.

Determination of Salaries. In determining the salaries of legislative positions, consideration will be given to equating job duties and responsibilities with positions of a similar nature in the unclassified service of the state.

Personnel Action Procedures. In determining the number of positions, salaries, and appointment of personnel, The Joint Committee on Legislative Services will use such personnel action forms as are provided by the Division of Personnel and will route all such forms through the state personnel administrator whose only action will be ministerial in nature, including the recording and processing of such forms.

Employment Conditions. All employees of the Legislative Department shall be in the unclassified service of the state and entitled to all rights, benefits and privileges of said unclassified service.

RULE III A. TRAVEL OF PERSONNEL

Employee Travel. Approval for travel of legislative employees shall be made only by the Chairman of the Joint Committee on Legislative Services, or by his/her designees. Employees of the Legislative Department shall be subject to the provisions of the state travel regulations in the same manner as all other state employees.

Legislators' Travel. Wherever practicable, legislators who are required to travel in the course of legislative business shall be subject to provisions of the state travel regulations with the following exceptions:

(a) Section I – **Authority to Travel.**

Exception: Authority for legislators' travel will be determined

and approved in advance by the Chairman of the Joint Committee on Legislative Services, and travel expenditures will be charged to the appropriate legislative accounts.

(b) Section I – Per Diem Allowance

Exception: Legislators will be entitled to per diem allowances of meals (\$30) and miscellaneous (\$10). Allowances are to be computed without regard to fractional days.

RULE IV. APPROPRIATION BALANCES

When Applicable. All unexpended and unencumbered appropriations balances of the several appropriation items within the Legislative Department shall be carried into the following fiscal year and made immediately available in the same manner as the former appropriations; provided however, that the Joint Committee on Legislative Services may authorize an appropriation of a legislative agency to revert to the surplus account in the general fund at the end of the fiscal year.

RULE V. APPROPRIATION REDUCTIONS

When Applicable. Whenever the governor shall cause the reduction or suspension of appropriations for the purpose of maintaining a balanced budget, he will notify the Joint Committee on Legislative Services who may give like consideration to the reduction or suspension of appropriations made to the several accounts within the Legislative Department.

Approval of Appropriation Reductions and Suspensions. If the Joint Committee on Legislative Services shall give approval to any reduction or suspension of said appropriations, the chairman will immediately forward notice of the action in letter form to the state controller who shall cause such reduction or suspension of appropriation to be entered upon the financial records of the state and thereupon notify all interested agencies of the action.

RULE VI. APPROPRIATION TRANSFER

When Applicable. Whenever the chairman of a legislative agency, or his designee, shall determine that appropriations made to his account are insufficient, due to emergency conditions or unforeseen circumstances, he/she may request a transfer of funds from any other appropriation item made within the Legislative Department.

Request for Transfer. Requests will be made in letter form from the initiating agency to the Joint Committee of Legislative Services, and the chairman of said committee will immediately forward notice of the appropriation transfer to the state controller who shall cause the transfer of funds to be entered upon the financial records of the state and thereupon notify all interested agencies of the action.

RULE VII. EFFECTIVE DATE AND AMENDMENTS

Effective Date. The rules and regulations contained herein shall become effective when filed with the Secretary of State. They are to be considered a public record and available for public inspection at any reasonable time.

Amendment and Suspension of Rules and Regulations. These rules and regulations, or any portions thereof, may be amended or rescinded by majority vote of the Joint Committee on Legislative Services, provided notice of the substance of the proposed Amendment is submitted in writing, unless waived by unanimous consent, to each member not less than one week before the meeting at which the amendment or recession is voted.

The rules and regulations, or any portion thereof, may be suspended at or in connection with any meeting or hearing, by three-fifths (3/5) vote of the members present at any meeting or hearing.

The amendments, recessions or suspension of rules, as approved, shall become effective immediately upon filing with the Secretary of State in the same manner as the original rules.