



TRANSPARENT TIMES

A Publication of the Pennsylvania House
State Government Committee
Representative Daryl D. Metcalfe, Chairman

Starting The Session Off On The Right Foot

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As its first order of business in the 2011-2012 session, the House State Government Committee, chaired by Representative Daryl Metcalfe, tackled government accountability and transparency. Stressing the importance of openness in the way he wishes to conduct committee business, Chairman Metcalfe convened an informational meeting on January 19 to review five reform bills to be considered by the Committee at the January 24 meeting.

The Committee met to vote on several good government reform measures which will increase transparency, accountability and integrity in the state government. All five bills were unanimously voted out of committee, rapidly adopted on the House floor and advanced to the state Senate for consideration.

PROMOTING TRANSPARENCY

House Bill 15 establishes PennWATCH, so that citizens will be able to keep an eye on how taxpayer dollars are spent. Through PennWATCH, citizens will be able to review government expenditures by agency and obtain detailed information on taxes and other revenues received by the state. Citizens will also be able to easily search through and locate the statistical information to help hold elected officials accountable.

House Bill 108 will combat "pay-to-play" state contracting practices through transparency. If a contract for goods, services or construction is to be secured in a non-competitive manner, this bill will require the agency that issues the contract to post it on an accessible Internet site prior to its execution. House Bill 108 will allow for the public, as well as other contractors who may be able to perform the work at a lower cost, to raise any questions or concerns regarding the contract before it is signed. Importantly, the bill also affirms that Pennsylvania's new Right-to-Know Law applies to all state procurement information. In doing so, all procurement records are now presumed to be public records, unless they are specifically exempt from access.

ACCOUNTABILITY IN ACTION

Ensuring that the state employees and officials who evaluate noncompetitive state contract proposals are independent of the businesses offering the proposals is the primary motivation behind House Bill 107. This bill will amend the state's Procurement Code to place limitations on the membership of evaluation committees that review contract proposals. Quite simply, if a state employee or official was, within the past two years, an employee of a business that has offered a contract proposal, that state employee or official cannot participate in the evaluation of contract proposals. By creating a firewall of sorts around the contracting process, this bill seeks to ensure that state contracts are awarded in a manner that benefits the Commonwealth as a whole, rather than certain private interests.

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Many of those who are paid to lobby state government earn a very good living. The special interest clients they represent – known as principals – can benefit economically or otherwise from the lobbyists' efforts. These are two of the reasons why Pennsylvania requires lobbyists and their clients to register and disclose lobbying expenditures. The fines and penalties in our lobbying disclosure law must be strong enough to keep lobbyists and principals honest. House Bill 103 was introduced for the purpose of ensuring that lobbyists and principals remain accountable. While they represent the private sector, their work impacts public policy. Thus, they must be accountable to all Pennsylvanians. This bill proposes to increase the fines and penalties that may be imposed when a lobbyist or principal fails to file a registration form or report or when a lobbyist or principal engages in certain unethical behavior, including fraud, extortion and bribery.

INTEGRITY

In recent years, we have learned that certain legislators created and controlled nonprofit organizations through which they funneled state taxpayer dollars towards pet projects. These situations raised numerous questions regarding the integrity of the legislature and the accountability of government spending. "Legislative nonprofits" are the subject of House Bill 109. While the House has adopted a rule to this effect in every session since the 2007-08 session, the legislation will make the prohibition to establish and maintain such organization a permanent law. The bill will also apply the ban on legislative nonprofits to the State Senate.

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