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June 5, 2017

Pennsylvania Independent Regulatory Review Commission
333 Market Street, 14th floor
Harrisburg, PA 17101

RE: Pennsylvania State Civil Service Commission Proposed Regulation #61-6 (IRRC# 3167):
"Implementation of Act 69 of 2016 and Act 167 of 2016"

Dear Commissioners:

We write to express our deep concerns with the above-captioned proposed rulemaking. Last year, the General Assembly passed Senate Bill 1154, prime sponsored by the both of us, and Governor Wolf signed into law Act 69 of 2016. Likewise with House Bill 192, now Act 167. I, Senator Folmer, was happy to start this process as Chairman of the Senate State Government Committee, by allowing both of these measures to be advanced from Committee.

These laws made significant and important changes to the Pennsylvania Civil Service Act, which in effect modernized civil service hiring and improved service delivery. These changes would also make it easier for candidates to apply for positions, create a larger pool of candidates from which agencies could choose, as well as give agencies important discretion in setting fair and appropriate candidate evaluations.

However, we believe that this regulation runs contrary to the intent of the General Assembly when it enacted these two laws, because in its current form, the regulation does not reflect proper implementation of the Acts.

This inability to properly implement is clearly reflected in the comments IRRC received from more than 20 Commonwealth agencies expressing concerns, including agencies such as the Department of Education, the Office of Administration and the Department of General Services. Agency comments include references to provisions of the regulation that would create: "negative

impact,” “erode this authority,” “limit agency discretion,” “fail to provide needed relief,” “onerous requirements” and “clear disincentive contrary to the spirit of the legislation.”

All of these references are equally troubling and disappointing, since we as a General Assembly worked with great diligence to get these laws passed so we could allow the Commission to move forward, not back.

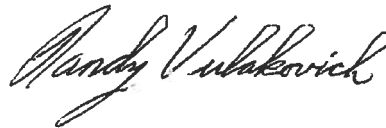
Furthermore, many of these agencies state in their comments that the Commission did not contact them to solicit their input on these proposed regulations. Acts 69 and 167 were designed specifically to better the civil service process for agencies. It makes no sense why the Commission wouldn't make sure the regulations properly advance the needs of those they serve.

We encourage IRRC to consider our concerns as you conduct your review of this rulemaking. Thank you.

Sincerely,



MIKE FOLMER
48th Senatorial District



RANDY VULAKOVICH
38th Senatorial District

CC: Chairman Lenz, State Civil Service Commission
Karen Denise Wood, Assistant Counsel, State Civil Service Commission