

## AMENDMENTS TO SENATE BILL NO. 527

Sponsor: SENATOR FOLMER

Printer's No. 540

1 Amend Bill, page 1, line 24, by striking out "of the

2 agencies" and inserting

3 in the administration

4 Amend Bill, page 1, line 24, by inserting after "government"

5 agencies

6 Amend Bill, page 2, line 1, by striking out "State agencies"

7 and inserting

8 the administration of State government

9 Amend Bill, page 2, line 11, by striking out "a wholly

10 independent" and inserting

11 the

12 Amend Bill, page 3, line 6, by striking out "nominate" and

13 inserting

14 appoint

15 Amend Bill, page 3, lines 7 through 9, by striking out "for a

16 term of six years. The nomination" in line 7, all of line 8 and

17 "by two-thirds of all the members of the Senate." in line 9 and

18 inserting

19 concurrent with the Governor's term of office.

20 Amend Bill, page 3, lines 11 and 12, by striking out "The

21 State Inspector General may not serve more than two" in line 11

22 and all of line 12

23 Amend Bill, page 3, by inserting between lines 12 and 13

24 (c) Qualifications.--The State Inspector General shall be

1 selected without regard to political affiliation on the basis of  
2 integrity, capability for strong leadership and demonstrated  
3 ability in accounting, auditing, financial analysis, law,  
4 management analysis, public administration, investigation or  
5 criminal justice administration or other appropriate fields.

6 Amend Bill, page 3, line 13, by striking out "(c)" and  
7 inserting

8 (d)

9 Amend Bill, page 3, line 14, by striking out "nor accept  
10 appointment"

11 Amend Bill, page 3, lines 15 and 16, by striking out "and  
12 for one year thereafter"

13 Amend Bill, page 3, line 17, by striking out "(d)" and  
14 inserting

15 (e)

16 Amend Bill, page 4, line 3, by striking out "a Federal, State  
17 or" and inserting

18 the Federal Government, an executive agency or a

19 Amend Bill, page 4, lines 6 and 7, by striking out "and the  
20 Executive Department"

21 Amend Bill, page 4, line 14, by striking out "officers and  
22 employees" and inserting

23 individuals

24 Amend Bill, page 4, line 16, by striking out "officers and"

25 Amend Bill, page 4, line 25, by striking out the comma after  
26 "agency" and inserting

27 and

28 Amend Bill, page 4, lines 26 and 27, by striking out "and the  
29 President pro tempore of the Senate and the Speaker of the House  
30 of Representatives"

31 Amend Bill, page 4, line 28, by inserting after "the "

1           operation or

2       Amend Bill, page 4, line 29, by striking out ", operation and  
3 contracting of" and inserting

4           or contracts entered into by

5       Amend Bill, page 5, line 2, by striking out "insure" and  
6 inserting

7           ensure

8       Amend Bill, page 5, line 14, by striking out "criminal,"

9       Amend Bill, page 5, line 15, by inserting after

10 "investigations"

11       of a program or operation of an executive agency

12       Amend Bill, page 5, line 19, by inserting after "agency's"

13       compliance with the

14       Amend Bill, page 5, line 24, by inserting after "acts"

15       discovered during the course of an investigation into an  
16 executive agency

17       Amend Bill, page 5, line 28, by striking out "a" and  
18 inserting

19       an executive agency

20       Amend Bill, page 6, line 7, by inserting after "agencies"

21       that are consistent with the powers and duties contained  
22 under this article

23       Amend Bill, page 6, lines 13 through 15, by striking out all  
24 of lines 13 and 14 and "(13)" in line 15 and inserting

25       (12)

26       Amend Bill, page 6, line 19, by striking out "(14)" and  
27 inserting

28       (13)

29       Amend Bill, page 6, line 30, by striking out the comma after  
30 "agency" and inserting

31       and

32       Amend Bill, page 6, line 30; page 7, lines 1 and 2; by

striking out ", the President pro" in line 30 on page 6, all of  
line 1 and "Representatives" in line 2 on page 7

Amend Bill, page 7, by inserting between lines 2 and 3

Section 505-A. Subpoenas and witness fees.

(a) Authorization.--In accordance with the powers under section 503-A(a) and duties under section 503-A(c), the State Inspector General may issue a subpoena relating to any matter pertinent to an examination to a person under the State Inspector General's jurisdiction or to an individual or a person receiving services from or through an executive agency. If a person fails or refuses to obey a subpoena, the State Inspector General may petition a court of competent jurisdiction to enter an order compelling the witness to appear and testify or produce documentary evidence. Failure to obey the court order shall be punishable as contempt of court.

(b) Form and effect.--A subpoena under subsection (a) shall be in substantially the same form and have the same force and effect as a subpoena issued by a court of common pleas. The State Inspector General shall have the benefit of the process of the appropriate court of common pleas if necessary to enforce a subpoena.

(c) Confidentiality.--A subpoena issued under this section must clearly indicate on the face of the subpoena that the subpoena is issued in connection with a confidential proceeding and a breach of confidentiality by the person subpoenaed may result in a civil penalty or misdemeanor.

(d) Fees.--Witnesses subpoenaed under this section shall be compensated under 42 Pa.C.S. § 5903 (relating to compensation and expenses of witnesses).

Section 506-A. Criminal charges.

Notwithstanding any other provision of law, the State Inspector General shall have the power to investigate and may file criminal charges for a violation of any of the following:

(1) Section 481 of the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code.

(2) Section 1408 of the Human Services Code.

(3) 18 Pa.C.S. § 7313 (relating to buying or exchanging Federal food order coupons, stamps, authorization cards or access devices).

(4) 18 Pa.C.S. § 7314 (relating to fraudulent traffic in food orders).

Amend Bill, page 7, line 3, by striking out "505-A" and  
inserting

507-A

Amend Bill, page 7, line 26, by striking out "506-A" and

1 inserting

2 508-A

3 Amend Bill, page 7, by inserting between lines 29 and 30

4 Section 509-A. Report to General Assembly.

5 By December 31 of each year, the State Inspector General  
6 shall issue an annual report to the Senate and the House of  
7 Representatives. The annual report shall include, at a minimum,  
8 the following:

9 (1) Information relating to investigations undertaken by  
10 the office, including the number of cases investigated,  
11 categorized by type, with a specific section detailing  
12 investigations conducted within the Department of Human  
13 Services.

14 (2) An accounting of taxpayer money that was recovered  
15 as a result of the work of the office.

16 (3) The monetary value that resulted from fraud  
17 prevention activities as a result of the work of the office.

18 (4) Summaries of performance of each bureau within the  
19 office.

20 (5) Specific recommendations concerning the improvement  
21 of any State program to further reduce waste, fraud and  
22 abuse.