

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 589 Session of 1993

INTRODUCED BY EVANS, DeWEESE, LINTON, KASUNIC, CAPPABIANCA, BATTISTO, DeLUCA, FLICK, KUKOVICH, SANTONI, LLOYD, WOZNIAK, LUCYK, SCRIMENTI, HANNA, COY, STISH, McCALL, TRELLO, MUNDY, LAUGHLIN, BUSH, LEVDANSKY, CORRIGAN, FREEMAN, STURLA, BUXTON, ROBINSON, STETLER, ARGALL, SAURMAN, LaGROTTA, TIGUE, MARKOSEK, MELIO, TANGRETTI, BELFANTI, MIHALICH, PISTELLA, BLAUM, SURRA, THOMAS, TRICH, GORDNER, JAMES, ROONEY, LEE, JOSEPHS, HUGHES, STEELMAN, GERLACH AND VEON, MARCH 15, 1993

REFERRED TO COMMITTEE ON APPROPRIATIONS, MARCH 15, 1993

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled  
 2 "An act providing for and reorganizing the conduct of the  
 3 executive and administrative work of the Commonwealth by the  
 4 Executive Department thereof and the administrative  
 5 departments, boards, commissions, and officers thereof,  
 6 including the boards of trustees of State Normal Schools, or  
 7 Teachers Colleges; abolishing, creating, reorganizing or  
 8 authorizing the reorganization of certain administrative  
 9 departments, boards, and commissions; defining the powers and  
 10 duties of the Governor and other executive and administrative  
 11 officers, and of the several administrative departments,  
 12 boards, commissions, and officers; fixing the salaries of the  
 13 Governor, Lieutenant Governor, and certain other executive  
 14 and administrative officers; providing for the appointment of  
 15 certain administrative officers, and of all deputies and  
 16 other assistants and employes in certain departments, boards,  
 17 and commissions; and prescribing the manner in which the  
 18 number and compensation of the deputies and all other  
 19 assistants and employes of certain departments, boards and  
 20 commissions shall be determined," further imposing additional  
 21 budgetary duties and responsibilities on the Governor and the  
 22 Secretary of the Budget; requiring the Auditor General and  
 23 State Treasurer to furnish lists of employees and requiring  
 24 monthly updates of employee lists to be furnished to the  
 25 Legislative Data Processing Center; creating an independent  
 26 advisory board to be known as the Independent Revenue  
 27 Forecasting Board, providing for the appointment of its  
 28 members, and defining its powers and duties; establishing an

1 Economic Advisory Council; and providing for duties of the  
2 Governor, the Secretary of Public Welfare and the Secretary  
3 of Revenue.

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

6 Section 1. Section 613 of the act of April 9, 1929 (P.L.177,  
7 No.175), known as The Administrative Code of 1929, is amended by  
8 adding a clause to read:

9 Section 613. Submission of Budget to General Assembly.--As  
10 soon as possible after the organization of the General Assembly,  
11 but not later than the first full week in February of each year,  
12 except in the case where a Governor has been elected for his  
13 first term of office and then no later than the first full week  
14 in March, the Governor shall submit to the General Assembly  
15 copies of original agency budget requests and all subsequent  
16 revised agency budget requests and a State budget and program  
17 and financial plan embracing:

18 \* \* \*

19 (5) No later than thirty days following the submission of  
20 the budget to the General Assembly, the Governor must submit  
21 copies of all proposed legislation necessary for the  
22 implementation of his proposed budget for the ensuing fiscal  
23 year.

24 Section 2. Section 614 of the act, amended August 14, 1991  
25 (P.L.331, No.35), is amended to read:

26 Section 614. List of Employes to be Furnished to Certain  
27 State Officers.--(a) (1) All administrative departments,  
28 boards, and commissions and the Attorney General shall on July  
29 15 of each year, transmit to the Auditor General, the State  
30 Treasurer and Secretary of the Budget a complete list, and to  
31 the Legislative Data Processing Center a computer tape of such

1 list, as of July 1 preceding, of the names of all persons,  
2 except day-laborers, entitled to receive compensation from the  
3 Commonwealth for services rendered in or to the department,  
4 board, or commission, as the case may be. [Such list]

5 (2) The Auditor General shall on July 15 of each year  
6 transmit to the State Treasurer and the Secretary of the Budget  
7 a complete list, and to the Legislative Data Processing Center a  
8 computer tape of such list, as of July 1 preceding, of the names  
9 of all persons, except day-laborers, entitled to receive  
10 compensation from the Commonwealth for services rendered in or  
11 to the Auditor General.

12 (3) The State Treasurer shall on July 15 of each year  
13 transmit to the Auditor General and the Secretary of the Budget  
14 a complete list, and to the Legislative Data Processing Center a  
15 computer tape of such list, as of July 1 preceding, of the names  
16 of all persons, except day-laborers, entitled to receive  
17 compensation from the Commonwealth for services rendered in or  
18 to the State Treasurer.

19 (4) The lists under clauses (1), (2) and (3) shall show the  
20 position occupied by each such person, the date of birth and  
21 voting residence of such person, the salary at which or other  
22 basis upon which such person is entitled to be paid, the date  
23 when such person entered the service of the Commonwealth,  
24 whether such person has been continuously employed by the  
25 Commonwealth since that date, and all periods of service and  
26 positions held as an employe of the Commonwealth, or such part  
27 of such information as the Governor may prescribe.

28 (b) (1) No later than the 15th of each month thereafter,  
29 the Attorney General, the heads of the several administrative  
30 departments, and the several independent administrative boards

1 and commissions, shall certify to the Auditor General, the State  
2 Treasurer and the Secretary of the Budget any changes in the  
3 annual list of employes last transmitted to them which shall  
4 have occurred during the preceding month [and shall provide to  
5 the Legislative Data Processing Center a computer tape of such  
6 changes.]

7 (2) Each month thereafter, the Auditor General shall certify  
8 to the State Treasurer and the Secretary of the Budget any  
9 changes in the annual list of employes last transmitted to them  
10 which shall have occurred during the preceding month.

11 (3) Each month thereafter, the State Treasurer shall certify  
12 to the Auditor General and the Secretary of the Budget any  
13 changes in the annual list of employes last transmitted to them  
14 which shall have occurred during the preceding month.

15 (4) Each month thereafter, all administrative departments,  
16 boards and commissions, the Attorney General, the Auditor  
17 General and the State Treasurer shall transmit a computer tape  
18 of the changes under clauses (1), (2) and (3) to the Legislative  
19 Data Processing Center.

20 (c) The information received by the Auditor General, the  
21 State Treasurer and the Secretary of the Budget, under this  
22 section, shall be public information.

23 Section 3. Section 615(a) and (d) of the act, added  
24 September 27, 1978 (P.L.775, No.149) and August 14, 1991  
25 (P.L.331, No.35), are amended to read:

26 Section 615. Estimates of Current Expenditures by  
27 Departments, Boards and Commissions.--(a) Each administrative  
28 department, board and commission, except the departments of  
29 which the Auditor General, the State Treasurer and the Attorney  
30 General are respectively the heads, shall from time to time, as

1 requested by the Governor, prepare and submit to the Secretary  
2 of the Budget, for approval or disapproval, an estimate of the  
3 amount of money required and the levels of activity and  
4 accomplishment for each program carried on by each department,  
5 board or commission, during the ensuing month, quarter, or such  
6 other period as the Governor shall prescribe. All available  
7 Federal funds and funds from other sources shall be  
8 characterized as such and shall be included in the estimated  
9 expenditures which must be submitted to the Secretary of the  
10 Budget before any expenditures therefrom may be made. If such  
11 estimates do not meet with the approval of the Secretary of the  
12 Budget, it shall be revised as necessary and resubmitted for  
13 approval. The approved rebudget for each administrative  
14 department, board and commission subject to this section shall  
15 be submitted to the General Assembly within ninety (90) days  
16 following enactment of the budget for the current fiscal year.  
17 The Secretary of the Budget may establish an authorized  
18 personnel complement level in conjunction with the approved  
19 expenditure estimate.

20 \* \* \*

21 (d) The Secretary of the Budget shall not, under his  
22 authority pursuant to this section, reserve, disapprove or  
23 reduce any amount appropriated by the General Assembly for  
24 grants and subsidies without giving ten (10) days' prior notice  
25 to the Majority and Minority [Chairmen] Chairs of the  
26 Appropriations Committees of the Senate and the House of  
27 Representatives, for their review and comment. Such notice shall  
28 include the amount of the appropriation to be reduced or  
29 disapproved, the reasons why the appropriation should be reduced  
30 or disapproved and the estimated impact of such reduction or

1 disapproval on the programs, services or purposes for which the  
2 appropriation is provided.

3 Section 4. Sections 618, 619 and 620 of the act, added  
4 September 27, 1978 (P.L.775, No.149), are amended to read:

5 Section 618. Revenue Estimates.--(a) The Department of  
6 Revenue in conjunction with the Secretary of the Budget shall  
7 make revenue estimates for the use of the Governor in preparing  
8 the budget with periodic revisions until the final estimate is  
9 signed by the Governor not later than the time he signs the  
10 general appropriation bill. The revenue estimates used to sign  
11 any appropriation bill shall show separately State revenues,  
12 Federal funds, and, if specifically appropriated, funds from  
13 other sources. The Governor shall item veto any part of any  
14 appropriation bill that causes total appropriations to exceed  
15 the official estimate plus any unappropriated surplus. No  
16 changes in the revenue estimates shall be made thereafter unless  
17 changes in statutes affecting revenues and receipts are enacted.

18 (b) The revenue estimates shall be prepared in a way that  
19 they are subject to complete and thorough oversight by the  
20 Appropriations Committees of the Senate and the House of  
21 Representatives and the Independent Revenue Forecasting Board  
22 with full knowledge of all data, assumptions, and econometric  
23 models which were used to develop the projections and any  
24 subsequent revisions of these projections.

25 (c) A committee consisting of the Governor, the Secretary of  
26 the Budget, the Secretary of Revenue [and the Chairmen], the  
27 Chairs of the Appropriations Committees of the Senate and the  
28 House of Representatives and the Chair of the Independent  
29 Revenue Forecasting Board is hereby established to oversee the  
30 development, maintenance and/or use of econometric models which

1 may be applied in the forecasting of State revenues. A model or  
2 models shall be developed for this purpose in the event that one  
3 does not currently exist. The Governor's Office shall maintain  
4 and update the model or models or appoint an appropriate agency  
5 or agencies to perform this responsibility. The Governor's  
6 Office shall inform the Oversight Committee of any changes to be  
7 made to the model or models to keep it updated. The equations of  
8 the model or models and any historic data bases related thereto  
9 shall be available to any member of the Oversight Committee or  
10 to the Minority [Chairman] Chair of the Appropriations Committee  
11 of the Senate or House of Representatives upon request at any  
12 time for any reason. Members of the Oversight Committee or the  
13 Minority [Chairman] Chair of the Appropriations Committee of the  
14 Senate or the House of Representatives may request the  
15 Governor's Office or the appropriate agency to run the model or  
16 models for any purpose including the testing of new equations  
17 and to produce forecasts. Forecasts produced by the model or  
18 models and any forecasted data bases related thereto shall be  
19 kept confidential by the Governor's Office and the appropriate  
20 agency or agencies producing these forecasts until or unless the  
21 individual requesting such forecast shall release them from this  
22 requirement. In no way shall this confidentiality provision be  
23 construed to prevent access by the Appropriations Committees of  
24 the Senate or House of Representatives or the Independent  
25 Revenue Forecasting Board to forecasts used in the preparation  
26 of the Governor's revenue estimates after the presentation of  
27 the budget as required in section 619(b).

28 Section 619. Transmission of Budget Information to the  
29 General Assembly.--(a) In December of each year, the Governor  
30 shall meet with the Majority and Minority [Chairmen] Chairs of

1 the Appropriations Committees and the officers of the General  
2 Assembly to brief the legislative leadership on the issues he  
3 can foresee as being imminent in the budget for the next fiscal  
4 year and exchange views with them on issues on the budget before  
5 it is formally submitted to the General Assembly. The Governor's  
6 briefing shall include:

7 (1) Major anticipated increases or decreases in programs.

8 (2) The results or anticipated results of employee union  
9 negotiations for salaries, wages and other benefits.

10 (3) The statistics involved in preliminary forecasts of the  
11 major programs mandated by statute such as education subsidies,  
12 all public assistance programs, debt service and forecasts of  
13 revenue.

14 (4) Other appropriate budget information.

15 The legislative officers shall also inform the Governor of  
16 financial matters which should be considered in the budget.

17 (a.1) At the same time that the Governor presents the budget  
18 to the General Assembly, the Governor shall, as provided in  
19 section 2808-D, present a documented revenue forecast as defined  
20 in section 2801-D.

21 (b) In the year the Governor is inaugurated, the Governor  
22 shall present the budget to the General Assembly no later than  
23 the first full week in March and in other years, no later than  
24 the first full week in February.

25 (c) The budget shall include the results of any program  
26 evaluation report completed by the Budget Office in the fiscal  
27 year preceding the year in which the budget request is made. The  
28 results of the evaluation report and its recommendations shall  
29 be summarized and included in the budget documentation.

30 (d) The Governor and each department or agency of the

1 Commonwealth, upon request of the [Chairman] Chair of the  
2 Appropriations Committees of either the Senate or the House of  
3 Representatives, shall provide documentation of any budget  
4 request, including revenue estimates upon which the Governor's  
5 budget estimate is based.

6 Section 620. Budget Implementation Data.--(a) The Governor  
7 shall make monthly expenditure data available to the Majority  
8 and Minority [Chairmen] Chairs of the Appropriations Committees  
9 of the Senate and the House of Representatives. Monthly data  
10 shall be provided within fifteen (15) days after the end of each  
11 month. The monthly data shall be prepared in such a way that the  
12 last monthly submission is a summary inclusive of the preceding  
13 months of the fiscal year and shall be usable to establish a  
14 history of expenditure file. This data, at the discretion of the  
15 Majority and Minority [Chairmen] Chairs of the Appropriations  
16 Committees of the Senate and the House of Representatives may be  
17 provided either in finished reports or on computer tapes. The  
18 data shall be provided by fund, by appropriation, by department  
19 and by organization within each department and shall include:

- 20 (1) Number of filled personnel positions and their cost.
- 21 (2) Itemized personnel vacancies and their cost.
- 22 (3) New positions created and their cost.
- 23 (4) Wage and overtime costs.
- 24 (5) Allotments and expenditures for itemized personnel  
25 expenses.
- 26 (6) Allotments and expenditures for itemized operating  
27 expenses.
- 28 (7) Allotments and expenditures for itemized fixed assets.
- 29 (8) The rate of expenditures in appropriations for major  
30 subsidy and grant programs during the month.

1 In addition to the above specified budgetary data, the Governor  
2 shall make available any other budgetary data as may be  
3 requested from time to time by the Majority and Minority  
4 [Chairmen] Chairs of the Appropriations Committees of the Senate  
5 and the House of Representatives.

6 (b) The Governor shall make monthly revenue reports to the  
7 Majority and Minority [Chairmen] Chairs of the Appropriations  
8 Committees of the Senate and the House of Representatives and  
9 the Independent Revenue Forecasting Board. The revenue reports  
10 shall show the actual collection of revenue itemized by source  
11 and a comparison of the actual collections with estimated  
12 collections for each month. The comparison shall be accompanied  
13 by an analysis which would indicate any change in collection  
14 patterns which will cause a shortfall or overrun on the annual  
15 estimates of more than one per centum (1%).

16 (c) The Governor shall cause to be prepared any other  
17 revenue data as may be requested from time to time by the  
18 Majority or Minority [Chairmen] Chairs of the Appropriations  
19 Committees of the Senate or the House of Representatives and to  
20 the Chair of the Independent Revenue Forecasting Board.

21 Section 5. Section 620.1 of the act, added August 14, 1991  
22 (P.L.331, No.35), is amended to read:

23 Section 620.1. Electronic Access of Information.--Except for  
24 confidential information, the Majority and Minority [Chairmen]  
25 Chairs of the Appropriations Committees of the Senate and House  
26 of Representatives and the Chair of the Independent Revenue  
27 Forecasting Board shall have access to all information available  
28 on inquiry-only screens through the Integrated Central System.

29 Section 6. The act is amended by adding an article to read:

30 ARTICLE XXVIII-D

1                   POWERS AND DUTIES OF THE INDEPENDENT REVENUE

2                                   FORECASTING BOARD

3           Section 2801-D. Definitions.--The following words and  
4 phrases when used in this article shall have the meanings given  
5 to them in this section unless the context clearly indicates  
6 otherwise:

7           "Board" means the Independent Revenue Forecasting Board.

8           "Cash grant" means cash assistance grants as provided under  
9 the act of June 13, 1967 (P.L.31, No.21), known as the "Public  
10 Welfare Code."

11           "Chairs of the Appropriations Committees" means the Majority  
12 Chair and the Minority Chair of the Appropriations Committee of  
13 the Senate and the Majority Chair and the Minority Chair of the  
14 Appropriations Committee of the House of Representatives.

15           "Council" means the Economic Advisory Council.

16           "Documented revenue forecast" means revenue estimates for the  
17 current and succeeding two fiscal years accompanied by  
18 supporting documentation which is sufficient for an individual  
19 to independently replicate and verify the forecast. Supporting  
20 documentation includes, but is not limited to:

21           (1) All reference and data sources used to prepare the  
22 revenue forecast.

23           (2) Economic growth assumptions accompanied with supporting  
24 rationale.

25           (3) A printout of all historical and forecast data used,  
26 including the effective rate of taxes.

27           (4) A printout of all adjustments to historical and forecast  
28 data accompanied with supporting rationale where the rationale  
29 includes, but is not limited to, a discussion of adjustments due  
30 to statutory changes, litigation, and administrative practices.

1 (5) All models used, including econometric, structural and  
2 cash flow models.

3 (6) All formulas and calculations used to be accompanied  
4 with supporting rationale.

5 "Medical assistance" means medical assistance as provided  
6 under the act of June 13, 1967 (P.L.31, No.21), known as the  
7 "Public Welfare Code."

8 "Official estimate" means the official estimate as required  
9 under section 618(a) for General Fund revenue.

10 "Revenue" means the income sources for the General Fund.

11 Section 2802-D. Creation of Board.--The Independent Revenue  
12 Forecasting Board is hereby created as an independent advisory  
13 board.

14 Section 2803-D. Purpose of Board.--The board shall prepare  
15 periodic advisory revenue estimates and reports and act as an  
16 advisor to the Governor, the General Assembly and the public  
17 concerning the following:

18 (1) Revenue forecasts.

19 (2) Economic conditions in this Commonwealth.

20 (3) Trends in medical assistance and cash grant caseloads  
21 due to economic conditions.

22 (4) Other information or analysis which the Governor or the  
23 Chairs of the Appropriations Committees may request or as may be  
24 required by law.

25 Section 2804-D. Board Membership.--(a) (1) The board shall  
26 consist of nine members.

27 (2) The Governor shall appoint one member of the board and  
28 each of the Chairs of the Appropriations Committees shall  
29 appoint one member of the board. The appointments under this  
30 clause shall be made within sixty (60) days of the effective

1 date of this section.

2 (3) The five appointments under clause (2) shall appoint  
3 four additional members to the board. The five board  
4 appointments must unanimously approve each of the four  
5 additional members. The additional four board members shall be  
6 appointed within one hundred twenty (120) days of the effective  
7 date of this section.

8 (4) The board shall by a vote of six of the nine members  
9 elect one of the four additional members to serve as chair of  
10 the board.

11 (5) Whenever a vacancy occurs on the board, whether prior to  
12 or at the expiration of a term, the vacancy shall be filled  
13 within sixty (60) days. All successors shall be appointed by the  
14 same appointing authority as the members whom they are  
15 replacing.

16 (b) (1) All members of the board shall have at least a  
17 four-year degree from a college or university, experience in tax  
18 policy, and at least five years' experience in statistics,  
19 economics or accounting. At least three members of the board  
20 shall hold a Ph.D. in economics and have a minimum of five  
21 years' professional economic forecasting experience. At least  
22 one member shall be a certified public accountant with ten years  
23 of professional accounting experience which includes at least  
24 five years of corporate tax accounting experience. At least one  
25 member shall be a certified public accountant with ten years of  
26 accounting experience which includes at least five years'  
27 personal income tax accounting experience.

28 (2) A member of the board may not be a lobbyist as defined  
29 under the act of September 30, 1961 (P.L.1778, No.72), known as  
30 the "Lobbying Registration and Regulation Act."

1       (3) A board member may not be an employe of the executive,  
2 legislative or judicial branch of State government.

3       (4) The board members shall not seek or hold a position as  
4 any other public official within this Commonwealth or as a party  
5 officer while a member of the board. The board members shall not  
6 seek election as public officials or party officers for one year  
7 after their service with the board. The board members may serve  
8 as appointed public officials any time after their period of  
9 service with the board.

10       (c) Except as otherwise provided, the board members shall  
11 serve a four-year term. Of the nine initial appointments, two  
12 shall be appointed for a term of two years, three for a term of  
13 three years and four for a term of four years. The chair of the  
14 board, whose initial term shall be for four years, shall have  
15 the other appointees draw lots to determine which length of  
16 initial term each of them shall serve. Any person appointed to  
17 fill a vacancy occurring prior to the expiration of a term shall  
18 serve the unexpired term. A board member may be reappointed to  
19 serve subsequent terms. If the chair shall become vacant, the  
20 board shall elect a new chair as provided in subsection (a)(4).

21       Section 2805-D. Compensation and Expenses of Board  
22 Members.--The members of the board shall receive reimbursement  
23 for actual and necessary expenses incurred while performing the  
24 business of the board.

25       Section 2806-D. Powers and Duties of Board.--(a) The board  
26 may expend such appropriated funds as are necessary to perform  
27 the function provided for in this article.

28       (b) The board shall meet as frequently as it deems  
29 appropriate, but at least once during each quarter of the fiscal  
30 year. Except as otherwise provided by law, the chair shall be

1 responsible for calling meetings of the board and shall set a  
2 date, time and place for such meetings. The member appointed by  
3 the Governor shall set a date, time and place for the initial  
4 organizational meetings of the board within ten (10) days after  
5 the completion of the initial five appointments and within ten  
6 (10) days after the completion of the remaining four  
7 appointments. In addition the chair shall call a meeting of the  
8 board if a request for such meeting is submitted to the  
9 chairperson by at least three members of the board.

10 (c) (1) The chair shall, when present, preside at all  
11 meetings. In the chair's absence, a member designated by the  
12 board shall preside. Any actions of the chair are subject in  
13 every case to majority approval of the board.

14 (2) Five of the members who compose the board shall  
15 constitute a quorum for the purpose of conducting the business  
16 of the board and for all other purposes except as otherwise  
17 provided.

18 (d) The board shall hire an executive director to aid in  
19 carrying out the powers and duties of the board. The chair  
20 shall, upon the approval of a majority of the members who  
21 compose the board, delegate to the executive director such  
22 powers of the board as the chair shall deem necessary to carry  
23 out the purposes of the board, subject in every case to the  
24 supervision and control of the board. The initial appointment of  
25 the executive director shall take place within sixty (60) days  
26 after all initial appointments to the board. The executive  
27 director shall not seek or hold a position as any other public  
28 official within this Commonwealth or as a party officer while  
29 filling the position of executive director. The executive  
30 director shall not seek election as a public official or party

1 officer for one year after service with the board. The executive  
2 director may serve as an appointed public official any time  
3 after his period of service with the board. The executive  
4 director shall hire support staff as deemed necessary to carry  
5 out the duties and requests of the board. The initial chair of  
6 the board shall use the staff of the Governor's Office until the  
7 executive director has hired necessary support staff.

8 (e) The board shall prepare a documented revenue forecast  
9 and an analysis of how that documented revenue forecast compares  
10 with the official estimate. Part of the analysis shall include a  
11 comparison of the documented revenue forecast with the monthly  
12 breakout of the official estimate as required under section  
13 620(b). In addition, the board shall also provide to the public  
14 a summary of such information presented in a manner which a lay  
15 person can understand. The board shall meet to approve such  
16 information by a majority vote before the information is  
17 released. Except as otherwise provided, the board shall make  
18 such information available in printed form to the Governor,  
19 Chairs of the Appropriations Committees and the public by the  
20 following dates: July 15, October 15, January 15, April 15, June  
21 15 and at any other time that the board deems necessary. For  
22 purposes of this subsection, publication in the Pennsylvania  
23 Bulletin within one week of the due date shall be sufficient to  
24 meet the public reporting requirement. The board shall make the  
25 initial report on such information available within one hundred  
26 fifty (150) days following the appointment of the executive  
27 director. The board shall analyze the documented revenue  
28 forecasts which the Governor and Chairs of the Appropriations  
29 Committees submit to the board as required under section 2808-D.  
30 The board shall insure that the documented revenue forecasts are

1 a matter of public record. The board shall act in an advisory  
2 capacity and provide responses in confidence to individual  
3 requests concerning revenue forecasts, revenue proposals or  
4 revenue analysis upon the request of the Governor or the Chairs  
5 of the Appropriations Committees. The board must keep answers to  
6 such requests confidential until the individual requesting such  
7 responses shall release the board from this confidentiality  
8 requirement.

9 (f) (1) The board shall project and analyze caseloads in  
10 and utilization of medical assistance and caseloads in cash  
11 grant programs based on economic trends. The board shall meet to  
12 approve all such information by a majority vote before the  
13 information is released. The board shall report such information  
14 in printed form including supporting rationale and documentation  
15 to the Governor, Chairs of the Appropriations Committees and the  
16 public by the following dates: July 15, October 15, January 15,  
17 April 15, June 15 and at any other time that the board deems  
18 necessary. For purposes of this subsection, publication in the  
19 Pennsylvania Bulletin within one week of the due date shall be  
20 sufficient to meet the public reporting requirement.

21 (2) The board shall act in an advisory capacity and provide  
22 confidential responses to individual requests concerning  
23 caseloads in and utilization of Medical Assistance and caseloads  
24 in cash grant programs upon the request of the Governor or the  
25 Chairs of the Appropriations Committees. The board must keep  
26 answers to such requests confidential until the individual  
27 requesting such responses shall release the board from this  
28 confidentiality requirement.

29 Section 2807-D. Economic Advisory Council.--(a) The  
30 Economic Advisory Council is established to act in an advisory

1 capacity to the board concerning economic conditions in this  
2 Commonwealth and revenue forecasts whenever the board calls upon  
3 them to do so. The council shall meet with the board at least  
4 once during each quarter of the fiscal year.

5 (b) The council shall consist of seven members. The board  
6 shall appoint each member for a two-year term based upon a  
7 majority vote. Whenever a vacancy occurs on the council, whether  
8 prior to or at the expiration of a term, the vacancy shall be  
9 filled within sixty (60) days. Any person appointed to fill a  
10 vacancy occurring prior to the expiration of a term shall serve  
11 the unexpired term. The council shall consist of a  
12 representative from each of the following sectors: labor,  
13 manufacturing, banking, nonbanking financial services, retail,  
14 public utilities and one other area which the board deems  
15 appropriate. Each representative must be a practitioner of  
16 economics, statistics or accounting in their respective sector.

17 (c) Members of the council shall not seek or hold a position  
18 as any other public official within this Commonwealth or as a  
19 party officer while a member of the council. The council members  
20 shall not seek election as public officials or party officers  
21 for one year after their service with the council. The council  
22 members may serve as appointed public officials any time after  
23 their period of service with the council. A member of the  
24 council may not be a lobbyist as defined under the act of  
25 September 30, 1961 (P.L.1778, No.712), known as the "Lobbying  
26 Registration and Regulation Act." A board member of the council  
27 may not be an employe of the executive, legislative or judicial  
28 branch of State government.

29 Section 2808-D. Duties of the Governor, Secretary of  
30 Revenue, Secretary of Public Welfare and Chairs of the

1 Appropriations Committees.--(a) The Governor shall submit to  
2 the board a documented revenue forecast with the submission of  
3 the Executive Budget as required under section 613. The Chairs  
4 of the Appropriations Committees shall submit to the board a  
5 documented revenue forecast when their respective budgets are  
6 introduced as required under the act of \_\_\_\_\_, 1993 (P.L.  
7 , No. \_\_\_\_\_) known as the "Budget Reform Act."

8 (b) In order to facilitate the board in carrying out its  
9 duties under section 2806-D(e) the Secretary of Budget and  
10 Secretary of Revenue shall make available to the board all  
11 information and reports used for generating revenue forecasts.  
12 In order to facilitate the board in carrying out its duties  
13 under section 2806-D(f) the Secretary of the Budget and the  
14 Secretary of Public Welfare shall make available to the board  
15 all information and reports used for analysis of Medical  
16 Assistance and cash grants including caseload, utilization and  
17 payment data.

18 Section 7. This act shall take effect immediately.