

**CREATING THE LEGISLATIVE BUDGET AND FINANCE COMMITTEE**

**Act of Aug. 4, 1959, P.L. 587, No. 195**

**Cl. 46**

**AN ACT**

Creating and establishing the Legislative Budget and Finance Committee; providing for its membership; prescribing its powers, functions and duties; providing for the appointment of an executive director and other personnel, and making an appropriation. (Title amended Sept. 20, 1961, P.L.1521, No.645)

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

Section 1. There is hereby created the Legislative Budget and Finance Committee which shall consist of the President pro tempore of the Senate and five other members of the Senate, the Speaker of the House of Representatives and five other members of the House. The President pro tempore of the Senate shall appoint the Majority Leader of the Senate, the Minority Leader of the Senate and three additional members of the Senate. Two of the three additional members shall be members of the Minority party. The President pro tempore of the Senate, the Majority Leader and the Minority Leader may designate other members of the Senate to be appointed in their stead. The Speaker of the House of Representatives shall appoint the Majority Leader of the House of Representatives, the Minority Leader of the House of Representatives and three additional members of the House. Two of the three additional members shall be members of the Minority Party. The Speaker of the House, the Majority Leader and the Minority Leader may designate other members of the House to be appointed in their stead. Members of the committee shall be appointed or reappointed during each regular session of the General Assembly, and shall continue as members until the first Tuesday in January of the next odd-numbered year and until their respective successors shall be appointed, provided they continue to be members of the Senate or the House of Representatives. The term of office of such committee members as shall not continue to be members of the Senate or the House of Representatives shall cease upon the convening of the next regular session of the Legislature after their appointment. The committee has a continuing existence and may meet and conduct its business at any place within the Commonwealth during the sessions of Legislature or any recess thereof and in the interim between sessions.

Section 2. The committee shall have the power and duty to appoint its own chairman, vice-chairman and other officers, to make rules and regulations governing its proceedings and to perform either through the Legislative Budget and Finance Committee, or through subcommittees of the Legislative Budget and Finance Committee, all duties and functions relating to the study of the revenues, expenditures and fiscal problems of the Commonwealth, its officers, boards, committees, commissions,

institutions and other State agencies.

Section 3. The committee shall have the following powers and duties:

(1) The committee shall have power to request, receive, review, examine, study, ascertain and compare fiscal information concerning the budget, the revenues and expenditures of the Commonwealth and to make recommendations to the Legislature, when found advisable, directed to the elimination of unnecessary expenditures and to the promotion of economy in the government of the Commonwealth.

(2) To make current examination and, when pertinent, reports concerning the current condition of all State funds, appropriations and other moneys, whether or not such appropriations are being currently expended for the purposes and within the statutory restrictions provided by the Legislature, and concerning the current availability of revenue to meet expenditures under appropriations.

(3) The committee shall report to the General Assembly when they are in session, the Governor and the Auditor General, when it appears that any appropriation is being expended for purposes other than the purposes for which the appropriation was intended, or if it appears that any statutory restrictions or provisions are being violated.

(4) The committee shall make reports, from time to time, to the members of the Legislature and, upon request, to the standing committees of the Senate and House of Representatives with respect to any of its findings or recommendations of a fiscal nature. It shall keep complete minutes of its meetings. The committee shall make and distribute its final report to the members of the ensuing Legislature not later than ten days after the convening of the regular session of the Legislature.

(5) The committee may issue subpoenas, under the hand and seal of the chairman, to compel the attendance of witnesses and the production of any papers, books, accounts, documents and testimony touching matters of a fiscal nature properly being inquired into by the committee, to administer oaths, and to cause the deposition of witnesses, either residing within or without the State, to be taken in the manner prescribed by laws for taking depositions in civil actions.

(6) Any person who wilfully neglects or refuses to comply with any subpoena issued in behalf of the committee, or refuses to testify to any matters regarding which he may be lawfully interrogated, shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

(7) Each witness who appears before the committee by its order, other than an officer or employe of the Commonwealth, shall receive for his attendance the fees and mileage provided for witnesses in civil cases in courts of record, which shall be audited and paid out of the funds of the committee upon the presentation of proper vouchers signed by such witness and approved by the chairman or vice-chairman of the committee.

(8) The Legislative Budget and Finance Committee is authorized to appoint an executive director, and to fix his compensation, who shall be the chief executive officer of the committee and assist in its duties, and shall compile

information for the committee. The committee is authorized to select and employ other personnel that it may deem necessary in the performance of its duties, and the compensation and salaries shall be fixed by the Legislative Budget and Finance Committee. ((8) amended Sept. 20, 1961, P.L.1521, No.645)

Section 4. The duties of the executive director shall be as follows:

(1) By continuous review of State expenditures, revenues and analysis of budget to ascertain the facts, compare cost, workload and other data, and make recommendations concerning the State's budget and revenue of the departments, boards, commissions and agencies of the Commonwealth.

(2) Such other duties as shall be assigned to him by the Legislative Budget and Finance Committee.

(4 amended Sept. 20, 1961, P.L.1521, No.645)

Section 5. The members of the committee shall serve without compensation but shall be reimbursed for their expenses incurred while attending sessions of the committee or meetings of any subcommittee of the committee, or while engaged on other committee business authorized by the committee, and in going to and coming from meetings of the committee or its subcommittees or for travel and other committee business when authorized by the committee.

Section 6. Before any written report is made by the committee, the department, officer or agency of the government involved therein shall be afforded an opportunity to comment, and said comments shall be attached to said report.

Section 7. The sum of two hundred thousand dollars (\$200,000), or as much thereof as may be necessary, is hereby specifically appropriated to the Legislative Budget and Finance Committee to pay the expenses of the members of the committee and for the salary or compensation of executive director, clerical and other hire and incidental expenses.

(7 amended Sept. 20, 1961, P.L.1521, No.645)

Section 8. This act shall take effect the day following sine die adjournment of the present session of the General Assembly.