

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1967 Session of
1985

INTRODUCED BY D. R. WRIGHT, WESTON, ITKIN, MILLER, COY,
STEIGHNER, GALLAGHER, TIGUE, OLIVER, LLOYD, BROUJOS, TRELLO,
CALTAGIRONE, MICHLOVIC, RYBAK, DAWIDA, HALUSKA, BATTISTO,
STABACK, MORRIS, BALDWIN, BORTNER, BELFANTI, PETRARCA, ARTY,
VROON, GRUPPO, PITTS, NAHILL, GLADECK, MICOZZIE, KENNEY,
WOGAN AND SAURMAN, DECEMBER 11, 1985

REFERRED TO COMMITTEE ON STATE GOVERNMENT, DECEMBER 11, 1985

AN ACT

1 Amending the act of December 22, 1981 (P.L.508, No.142),
2 entitled "An act requiring the termination of certain
3 agencies of State Government under certain circumstances,
4 creating a Leadership Committee with certain powers and
5 duties and imposing powers and duties upon the Legislative
6 Budget and Finance Committee," further providing for the
7 powers of the Legislative Budget and Finance Committee; and
8 making an editorial change.

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

11 Section 1. Sections 11 and 12 of the act of December 22,
12 1981 (P.L.508, No.142), known as the Sunset Act, are amended to
13 read:

14 Section 11. Access to records and witnesses.

15 The Legislative Budget and Finance Committee and its
16 authorized representative shall, for the purpose of examination
17 and audit authorized by this act, have ready access to persons
18 and may examine and copy to the extent deemed necessary to its
19 evaluation and review, pertinent records, accounts, papers,

1 reports, vouchers, correspondence, personnel information, books
2 and other documentation of any Commonwealth agency. The
3 Legislative Budget and Finance Committee shall determine the
4 extent of access, examination and copying necessary for
5 evaluation and review and shall determine the pertinence of
6 records, accounts, papers, reports, vouchers, correspondence,
7 personnel information, books and other documentation of any
8 Commonwealth agency.

9 Section 12. Authority to administer oaths, subpoena witnesses
10 and records and take depositions.

11 For the purpose of this act, the Legislative Budget and
12 Finance Committee[, with the concurrent resolution of both
13 Houses] shall have the power to issue subpoenas, under the hand
14 and seal of the chairman; to compel the attendance of witnesses
15 and the production of any papers, books, accounts and documents
16 [to subpoena witnesses,]; to take testimony under oath; to cause
17 the deposition of witnesses, residing within or without the
18 Commonwealth, to be taken in the manner prescribed by law; and
19 to assemble records and documents, by subpoena or otherwise,
20 with the same power and authority as courts of record [and]. The
21 committee may apply to courts of record for the enforcement of
22 these powers.

23 Any person who willfully neglects or refuses to comply with
24 any subpoena issued in behalf of the Legislative Budget and
25 Finance Committee, or refuses to testify to any matters
26 regarding which he may be lawfully interrogated, shall be
27 subject to [the penalties provided by the laws of the
28 Commonwealth of Pennsylvania] 18 Pa.C.S. § 5110 (relating to
29 contempt of General Assembly).

30 Section 2. This act shall take effect immediately.