

AN ACT

1 Amending Title 71 (State Government) of the Pennsylvania
2 Consolidated Statutes, adding provisions relating to certain
3 legislative service agencies, merging the Legislative Budget
4 and Finance Committee and Joint State Government Commission
5 by establishing the Joint State Government Legislative Budget
6 and Finance Committee; and making related repeals.

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

9 Section 1. Title 71 of the Pennsylvania Consolidated
10 Statutes is amended by adding a part to read:

11 PART IV

12 THE LEGISLATURE

13 Subpart

14 A. (Reserved)

15 B. (Reserved)

16 C. Legislative Service Agencies

17 SUBPART A

18 (Reserved)

19 SUBPART B

1 (Reserved)

2 SUBPART C

3 LEGISLATIVE SERVICE AGENCIES

4 Chapter

5 35. Joint State Government Legislative Budget and Finance

6 Committee

7 CHAPTER 35

8 JOINT STATE GOVERNMENT LEGISLATIVE

9 BUDGET AND FINANCE COMMITTEE

10 Sec.

11 3501. Scope of chapter.

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25 § 3501. Scope of chapter.

26 This chapter relates to the Joint State Government
27 Legislative Budget and Finance Committee.

28 § 3502. Definitions.

29 The following words and phrases as used in this chapter shall
30 have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "Committee." The Joint State Government Legislative Budget
3 and Finance Committee established under section 3503 (relating
4 to establishment of committee).

5 "Executive director." The Executive Director of the Joint
6 State Government Legislative Budget and Finance Committee
7 established under section 3507 (relating to executive director
8 and staff).

9 § 3503. Establishment of committee.

10 The entire membership of the House of Representatives and the
11 entire membership of the Senate shall constitute a continuing
12 joint legislative committee, to be known as the Joint State
13 Government Legislative Budget and Finance Committee.

14 § 3504. Membership.

15 The committee shall consist of an executive committee
16 comprised of the following members:

17 (1) The President pro tempore of the Senate.

18 (2) The Speaker of the House of Representatives.

19 (3) The majority and minority leaders of the Senate.

20 (4) The majority and minority leaders of the House of
21 Representatives.

22 (5) The majority and minority whips of the Senate.

23 (6) The majority and minority whips of the House of
24 Representatives.

25 (7) The chairman of the majority and minority caucuses
26 of the Senate.

27 (8) The chairman of the majority and minority caucuses
28 of the House of Representatives.

29 § 3505. Designees.

30 The members identified under section 3504 (relating to

1 membership) may designate any member of the Senate or House of
2 Representatives, respectively, to act in the executive committee
3 member's stead and to serve at the executive committee member's
4 discretion as a member of the executive committee.

5 § 3506. Chairman.

6 The committee shall organize by the selection of a chairman
7 who shall be selected by the executive committee and who shall
8 be an ex officio member of the executive committee without a
9 vote.

10 § 3507. Executive director and staff.

11 (a) General rule.--The committee shall employ an executive
12 director and professional, technical, clerical and other
13 assistance as may be deemed necessary.

14 (b) Powers and duties.--The executive director shall have
15 the following powers and duties:

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

22 (2) Other duties assigned by the committee.

23 (c) Staff and limitation.--

24 (1) The executive director, in consultation with the
25 committee, shall employ the staff necessary to perform the
26 functions of the committee or required by the members of the
27 committee.

28 (2) In no case may the number of individuals employed as
29 staff to the committee exceed 75% of the number of
30 individuals employed by the Joint State Government Commission

1 and Legislative Budget and Finance Committee on the effective
2 date of this section.

3 § 3508. Organization and meetings.

4 (a) General rule.--The committee shall organize within 30
5 days of the effective date of this section, and thereafter the
6 executive committee shall hold the organization meeting within
7 30 days after the convening of the regular session of the
8 General Assembly in odd-numbered years. Meetings of the
9 committee shall be scheduled by the executive committee.

10 (b) Manner of convening meetings.--The executive committee
11 shall conduct the business of the committee and shall meet at
12 the call of the chairman or upon written request of six or more
13 members of the executive committee.

14 § 3509. General powers and duties of committee.

15 The committee shall have the following powers and duties:

16 (1) To request a department or agency of the
17 Commonwealth for information the committee deems pertinent to
18 the studies in which the committee is engaged.

19 (2) To designate persons, other than members of the
20 General Assembly, to act in advisory capacities.

21 (3) To make investigations and studies and to gather
22 information deemed useful to the General Assembly and to the
23 standing committees of the Senate and the House of
24 Representatives.

25 (4) To sit during the interim between regular
26 legislative sessions convening in odd-numbered years.

27 (5) To report to the General Assembly or to the various
28 standing committees of the Senate and the House of
29 Representatives findings and recommendations, accompanied
30 with drafts of legislation, as the committee deems necessary

1 for the information of and consideration by the General
2 Assembly.

3 (6) To furnish technical staff services requested by the
4 standing committees of the Senate and House of
5 Representatives during regular or special sessions of the
6 General Assembly.

7 (7) To study the revenues, expenditures and fiscal
8 problems of the Commonwealth, its officers, boards,
9 committees, commissions, institutions and other State
10 agencies.

11 § 3510. Duties relating to studies and investigations.

12 (a) General rule.--The committee shall undertake, through
13 the standing committees of the Senate and House of
14 Representatives, studies and investigations as the General
15 Assembly by resolution directs.

16 (b) Designation of standing committees.--If a study or
17 investigation is made, the President pro tempore of the Senate
18 shall designate the appropriate standing committee of the Senate
19 and the Speaker of the House of Representatives shall designate
20 the appropriate standing committee of the House of
21 Representatives to make the study or investigation. The two
22 standing committees, when so designated, shall constitute a
23 joint study committee of the committee for that purpose.

24 (c) Meetings in interim between regular sessions.--During
25 the interim between regular sessions of the General Assembly
26 which convene in odd-numbered years, each joint study committee
27 assigned to make a study shall meet at the call of the chairman
28 of the committee or at the joint call of the chairman of the
29 designated standing committees of the Senate and House of
30 Representatives.

1 § 3511. Duties relating to budget and finance.

2 (a) General rule.--The committee shall have the following
3 powers and duties:

4 (1) To request, receive, review, examine, study,
5 ascertain and compare fiscal information concerning the
6 budget, the revenues and expenditures of the Commonwealth and
7 to make recommendations to the General Assembly, when found
8 advisable, directed to the elimination of unnecessary
9 expenditures and to the promotion of economy in the
10 government of the Commonwealth.

11 (2) To make current examination and, when pertinent,
12 reports concerning the current condition of all State money,
13 appropriations and other money, whether or not appropriations
14 are being currently expended for the purposes and within the
15 statutory restrictions provided by the General Assembly, and
16 concerning the current availability of revenue to meet
17 expenditures under appropriations.

18 (b) Reports of certain appropriations.--The committee shall
19 report to the General Assembly when they are in session, the
20 Governor and the Auditor General, when it appears that any
21 appropriation is being expended for purposes other than the
22 purposes for which the appropriation was intended, or if it
23 appears that any statutory restrictions or provisions are being
24 violated.

25 (c) Reports of fiscal nature.--The committee shall make
26 reports to the members of the General Assembly and, upon
27 request, to the standing committees of the Senate and House of
28 Representatives with respect to any of the committee's findings
29 or recommendations of a fiscal nature. The committee shall keep
30 complete minutes of committee meetings. The committee shall make

1 and distribute the final report to the members of the ensuing
2 General Assembly not later than 10 days after the convening of
3 the regular session of the General Assembly.

4 (d) Subpoenas.--

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

14 (2) Any person who wilfully neglects or refuses to
15 comply with a subpoena issued on behalf of the committee
16 under this section, or refuses to testify to any matter the
17 person may be lawfully interrogated under this section, shall
18 be subject to the penalties provided by the laws of the
19 Commonwealth in such cases.

20 (e) Reimbursements to witnesses.--Each witness who appears
21 before the committee by its order, other than an officer or
22 employee of the Commonwealth, shall receive for the witness's
23 attendance the fees and mileage provided for witnesses in civil
24 cases in courts of record, which shall be audited and paid out
25 of the money of the committee upon the presentation of proper
26 vouchers signed by the witness and approved by the chairman or
27 vice-chairman of the committee.

28 (f) Opportunity to comment.--Before a written report is made
29 by the committee under this section, the department, officer or
30 agency of the government involved in the report shall be

1 afforded an opportunity to comment, and the comments shall be
2 attached to the report.

3 § 3512. Appropriation for committee.

4 An item of appropriation shall be included in the General
5 Appropriation Act to pay the expenses of the members of the
6 committee, and for the salary of the executive director,
7 clerical and other hire and incidental expenses.

8 § 3513. Compensation prohibited.

9 No member of the committee shall receive any remuneration,
10 salary or expenses as a member of the committee other than
11 remuneration, salary and expenses as a member of the General
12 Assembly and traveling expenses incurred upon the business of
13 the committee or its study committees.

14 § 3514. Continuation of standing committees.

15 For the purposes of this chapter, the standing committees of
16 the Senate and House of Representatives shall continue during
17 the interim between sessions convening in odd-numbered years.

18 Section 2. Any reference in any other law to the Joint State
19 Government Commission or Legislative Budget and Finance
20 Committee shall be deemed to be a reference to the Joint State
21 Government Legislative Budget and Finance Committee.

22 Section 3. Repeals are as follows:

23 (1) The General Assembly finds that the repeals under
24 paragraph (2) are necessary to implement this act:

25 (i) The act of July 1, 1937 (P.L. 2460, No. 459).

26 (ii) The act of August 4, 1959 (P.L. 587, No. 195).

27 Section 4. This act shall take effect in 60 days.