

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

## No. 1832

Session of  
1977

INTRODUCED BY GATSKI, B. F. O'BRIEN, J. L. WRIGHT JR., BURNS,  
McCALL, GOODMAN, C. GEORGE, YAHNER, STAIRS, DAVIES AND SWEET,  
NOVEMBER 1, 1977

REFERRED TO COMMITTEE ON MINES AND ENERGY MANAGEMENT,  
NOVEMBER 1, 1977

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," clarifying certain  
21 provisions relating to the Department of Commerce.

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

24 Section 1. Clause (n) of section 448, act of April 29, 1929  
25 (P.L.177, No.175), known as "The Administrative Code of 1929,"  
26 added January 3, 1968 (1967 P.L.922, No.416), is amended to

1 read:

2 Section 448. Advisory Boards and Commission.--The advisory  
3 boards and commissions, within the several administrative  
4 departments, shall be constituted as follows:

5 \* \* \*

6 (n) There is hereby created in the Department of Commerce a  
7 Board of the Pennsylvania Science and Engineering Foundation  
8 which shall consist of the Secretary of Commerce, the Governor's  
9 Science Advisor and [nine] twelve additional members to be  
10 appointed by the Governor [by and with the advice and consent of  
11 the Senate,] four of whom shall be from the Governor's Science  
12 Advisory Committee.

13 From the membership of this board, the Governor shall appoint  
14 the chairman and vice-chairman.

15 All members shall be appointed for terms of four years, such  
16 terms to run concurrent with that of the Governor. Any member  
17 appointed to fill a vacancy created otherwise than by expiration  
18 of term shall be appointed for the unexpired term of the members  
19 whom he is to succeed.

20 The board members shall receive no compensation for their  
21 services but shall be reimbursed for their expenses actually  
22 incurred by them in the performance of their duties under this  
23 act.

24 The Department of Commerce shall provide an executive  
25 director and all other staff services to the board, including  
26 liaison between the board and science and engineering research,  
27 development and education agencies and related organizations,  
28 and between the foundation and other agencies of the  
29 Commonwealth.

30 \* \* \*

1       Section 2.   Section 2501-B of the act, subsections (c), (d)  
2   and (e) added December 3, 1970 (P.L.834, No.275), is amended to  
3   read:

4       Section 2501-B.   Powers and Duties of the Department of  
5   Commerce.--The Department of Commerce shall have the power, and  
6   its duty shall be:

7       (a)   To administer and carry out the provisions of the  
8   Commerce Law.

9       (b)   To take any other action authorized or required by this  
10   or any other law.

11       (c)   To take such steps as it may deem advisable to promote  
12   the welfare of the mining and mineral interests of the  
13   Commonwealth, and the use of the mineral products of  
14   Pennsylvania.

15       [(d)   To conduct, or cause to be conducted, thorough and  
16   comprehensive research studies and research programs in the  
17   technology, the economics, and the methods of mining, preparing,  
18   transporting and the marketing of bituminous and anthracite coal  
19   and their by-products, and such other purposes as shall be  
20   deemed to be advantageous to the well-being and future of the  
21   bituminous and anthracite coal industry.

22       With the approval of the Governor, the department is  
23   authorized to enter into mutually satisfactory contracts or  
24   agreements with any person, firm, institution or corporation as  
25   well as any State or Federal agency which the department deems  
26   wise, necessary and expedient in carrying out its objectives,  
27   but the department, in so far as it is practicable, shall make  
28   such contracts or agreements with persons, associations and  
29   institutions located within the Commonwealth of Pennsylvania.  
30   The department may, subject to the approval of the Governor,

1 make grants to public and private scientific schools,  
2 institutions and associations which have the necessary existing  
3 research laboratory facilities for the accomplishment of its  
4 powers and, to this end, it may use any matching or donated  
5 funds available from the Federal Government, private or  
6 philanthropic concerns, associations and institutions.

7 (e) The department shall supervise the expenditure by the  
8 School of Mineral Industries of Pennsylvania State University of  
9 appropriations made for the purpose of conducting researches to  
10 discover a by-product for the use of anthracite and bituminous  
11 coal and to develop new scientific, chemical and other uses, and  
12 new and extended markets for anthracite and bituminous coal and  
13 its products.

14 The Commonwealth, through the department, shall have the  
15 right to accept and receive gifts, contributions, bequests and  
16 devises of real or personal property made by any person for the  
17 above purposes, which shall be designated as being for the use  
18 of the School of Mineral Industries of Pennsylvania State  
19 University to be expended by it under the supervision of the  
20 department.]

21 Section 3. Section 2503-B of the act, added January 3, 1968  
22 (1967 P.L.922, No.416), is amended to read:

23 Section 2503-B. Board of Pennsylvania Science and  
24 Engineering Foundation.--(a) The Board of the Pennsylvania  
25 Science and Engineering Foundation is authorized to promote,  
26 stimulate and encourage (i) basic and applied scientific  
27 research and development in Pennsylvania [and], (ii) scientific  
28 and technological education in Pennsylvania, which may  
29 reasonably be expected to advance the Commonwealth's economic  
30 growth and welfare, and (iii) thorough and comprehensive

1 research studies and research programs in the technology, the  
2 economics and the methods of mining, preparing, transporting and  
3 the marketing of bituminous and anthracite coal and their by-  
4 products, and such other purposes as shall be deemed to be  
5 advantageous to the well-being and future of the bituminous and  
6 anthracite coal industry.

7 [(b) With the approval of the Governor, the board is  
8 authorized to enter into mutually satisfactory contracts or  
9 agreements with educational institutions, nonprofit institutions  
10 and organizations, business enterprises and other persons  
11 concerned with scientific and technological research, and  
12 development in the Commonwealth, as well as any State or Federal  
13 agency, to foster and support scientific and technological  
14 research, development and education. The board may, subject to  
15 the approval of the Governor, make grants to educational  
16 institutions, nonprofit institutions and organizations, and  
17 other persons for the same purposes. The board may sponsor and  
18 conduct conferences and studies, collect and disseminate  
19 information, and issue periodic reports relating to scientific  
20 and technological research, development, and education in the  
21 Commonwealth, including grants for Governor's chairs to  
22 Pennsylvania colleges and universities in the field of new  
23 materials; maintain a register of scientific and technological  
24 personnel and facilities, including but not limited to  
25 scientific libraries and data centers. It may receive gifts,  
26 grants, bequests or devises from any source, including funds  
27 from the Federal government.]

28 (c) Scientific and technological research, development and  
29 training activities may include, but not be limited to: coal  
30 mining, beneficiation, conversion to other chemical products or

1 by-product development, combustion, conversion to other fuel  
2 forms such as gas, oil or other combustibles and information and  
3 data systems.

4 Also included is research and development on energy related  
5 technologies including improved structural materials, catalytic  
6 materials, energy conversion systems, transmissions systems,  
7 waste energy conservation and recovery systems, solar energy  
8 heating and cooling technologies, energy related transportation  
9 systems research, pollution abatement and environmental impact  
10 evaluations or assessments relating to energy production,  
11 conversion or mining activities.

12 (d) The department with the advice and cooperation of the  
13 board shall supervise the expenditure of appropriations made to  
14 appropriately selected institutions or organizations for the  
15 purpose of conducting researches to discover by-products making  
16 use of anthracite and bituminous coal and to develop new  
17 scientific, chemical and other uses, and new and extended  
18 markets for anthracite and bituminous coal and its products.

19 (e) The board may sponsor and conduct conferences and  
20 studies, including grants for Governor's chairs to Pennsylvania  
21 colleges and universities in the fields of modern technology.  
22 With the approval of the Governor and the department, the board  
23 is authorized to enter into mutually satisfactory contracts or  
24 agreements with any person, firm, institution or corporation as  
25 well as any State or Federal agency which they deem wise,  
26 necessary and expedient in carrying out their objectives, but  
27 the board, insofar as it is practical, shall make such contracts  
28 or agreements with persons, associations and institutions  
29 located within the Commonwealth of Pennsylvania.

30 The board may receive gifts, grants, bequests or devices from

1 any source, including funds from the Federal Government.

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