

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1819 Session of
1979

INTRODUCED BY RHODES, SCIRICA, FISHER, WHITE, IRVIS, SPENCER,
MANDERINO, BERSON, LEVIN, WACHOB, KUKOVICH, MICHLOVIC, ALDEN,
COHEN, DiCARLO, SWEET, A. K. HUTCHINSON, DeWEESE, RICHARDSON,
PIEVSKY AND McVERRY, OCTOBER 11, 1979

REFERRED TO COMMITTEE ON STATE GOVERNMENT, OCTOBER 11, 1979

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," providing for the Secretary
21 and Department of Corrections.

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

24 Section 1. Section 201, act of April 9, 1929 (P.L.177,
25 No.175), known as "The Administrative Code of 1929," amended
26 June 20, 1978 (P.L.477, No.70), is amended to read:

1 Section 201. Executive Officers, Administrative Departments
2 and Independent Administrative Boards and Commissions.--The
3 executive and administrative work of this Commonwealth shall be
4 performed by the Executive Department, consisting of the
5 Governor, Lieutenant Governor, Secretary of the Commonwealth,
6 Attorney General, Auditor General, State Treasurer, and
7 Secretary of Education; by the Executive Board, and the
8 Pennsylvania State Police; by the following administrative
9 departments: Department of State, Department of Justice,
10 Department of Corrections, Department of the Auditor General,
11 Treasury Department, Department of Education, Department of
12 Military Affairs, Insurance Department, Department of Banking,
13 Department of Agriculture, Department of Transportation,
14 Department of Health, Department of Labor and Industry,
15 Department of Aging, Department of Public Welfare, Department of
16 General Services, Department of Revenue, Department of Commerce,
17 Department of Community Affairs and Department of Environmental
18 Resources; and by the following independent administrative
19 boards and commissions: Pennsylvania Game Commission,
20 Pennsylvania Fish Commission, State Civil Service Commission,
21 Pennsylvania Public Utility Commission, the Pennsylvania
22 Historical and Museum Commission and the Pennsylvania Securities
23 Commission.

24 All of the provisions of this act, which apply generally to
25 administrative departments, or generally except to the
26 Department of the Auditor General and the Treasury Department,
27 shall apply to the Executive Board and to the Pennsylvania State
28 Police.

29 Section 2. As much as relates to the Department of Justice
30 of section 202 of the act, amended July 9, 1976 (P.L.574,

1 No.139), is amended to read:

2 Section 202. Departmental Administrative Boards,
3 Commissions, and Offices.--The following boards, commissions,
4 and offices are hereby placed and made departmental
5 administrative boards, commissions, or offices, as the case may
6 be, in the respective administrative departments mentioned in
7 the preceding section, as follows:

8 * * *

9 In the Department of Justice,

10 Board of Pardons,

11 Crime Victim's Compensation Board,

12 Board of Commissioners on Uniform State Laws,

13 Pennsylvania Crime Commission,

14 [Board of Trustees of State Correctional Institution at

15 Philadelphia,

16 Board of Trustees of State Correctional Institution at

17 Pittsburgh,

18 Board of Trustees of State Correctional Institution at

19 Rockview,

20 Board of Trustees of State Correctional Institution at

21 Graterford,

22 Board of Trustees of State Correctional Institution at

23 Huntingdon,

24 Board of Trustees of State Correctional Institution at

25 Camp Hill,

26 Board of Trustees of State Correctional Institution at

27 Muncy.]

28 * * *

29 Section 3. Section 206 and clause (1) of subsection (d) of
30 section 207.1 of the act, amended June 20, 1978 (P.L.477,

1 No.70), are amended to read:

2 Section 206. Department Heads.--Each administrative
3 department shall have as its head an officer who shall, either
4 personally, by deputy, or by the duly authorized agent or
5 employe of the department, and subject at all times to the
6 provisions of this act, exercise the powers and perform the
7 duties by law vested in and imposed upon the department.

8 The following officers shall be the heads of the
9 administrative departments following their respective titles:

10 Secretary of the Commonwealth, of the Department of State;
11 Attorney General, of the Department of Justice;
12 Auditor General, of the Department of the Auditor General;
13 State Treasurer, of the Treasury Department;
14 Secretary of Education, of the Department of Education;
15 Adjutant General, of the Department of Military Affairs;
16 Insurance Commissioner, of the Insurance Department;
17 Secretary of Banking, of the Department of Banking;
18 Secretary of Agriculture, of the Department of Agriculture;
19 Secretary of Transportation, of the Department of
20 Transportation;
21 Secretary of Health, of the Department of Health;
22 Secretary of Labor and Industry, of the Department of Labor
23 and Industry;
24 Secretary of Aging, of the Department of Aging;
25 Secretary of Public Welfare, of the Department of Public
26 Welfare;
27 Secretary of Corrections, of the Department of Corrections;
28 Secretary of Revenue, of the Department of Revenue;
29 Secretary of Commerce, of the Department of Commerce;
30 Secretary of Community Affairs, of the Department of

Community Affairs;
Secretary of Environmental Resources, of the Department of
Environmental Resources;
Secretary of General Services, of the Department of General
Services.

Section 207.1. Gubernatorial Appointments.--* * *

(d) The Governor shall nominate in accordance with the
provisions of the Constitution of the Commonwealth of
Pennsylvania and, by and with the advice and consent of a
majority of the members elected to the Senate appoint persons to
fill the following positions:

(1) The Attorney General, the Secretary of Education, the
Secretary of the Commonwealth, the Adjutant General, the
Insurance Commissioner, the Secretary of Banking, the Secretary
of Agriculture, the Secretary of Transportation, the Secretary
of Health, the Commissioner of the State Police, the Secretary
of Labor and Industry, the Secretary of Aging, the Secretary of
Public Welfare, the Secretary of Corrections, the Secretary of
General Services, the Secretary of Revenue, the Secretary of
Commerce, the Secretary of Community Affairs and the Secretary
of Environmental Resources.

* * *

Section 4. The act is amended by adding an article to read:

ARTICLE IX-B

POWERS AND DUTIES OF THE DEPARTMENT OF CORRECTIONS

Section 901-B. Powers and Duties in General.--The Department
of Corrections shall have the powers and duties granted to and
imposed upon it pursuant to law.

Section 5. This act shall take effect on July 1 of the first
fiscal year which occurs a full 12 months after the passage of

1 this act.