

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 27

Session of
1981

INTRODUCED BY DORR, JANUARY 19, 1981

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 19, 1981

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 for the approval or disapproval of regulations by
22 the General Assembly.

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

25 Section 1. Section 812.2, act of April 9, 1929 (P.L.177,
26 No.175), known as "The Administrative Code of 1929," added
27 October 8, 1980 (No.146), is amended to read:

1 Section 812.2. Legislative Approval or Disapproval;
2 Effect.--A copy of every rule or regulation or amendment to a
3 rule or regulation proposed by the Bureau of Professional and
4 Occupational Affairs or any board or commission thereunder in
5 order to implement any provision of section 812.1 shall [before
6 adoption be forwarded to the Speaker of the House of
7 Representatives and to the President pro tempore of the Senate
8 for referral to and review by the appropriate standing committee
9 of the House of Representatives and of the Senate as determined
10 by the respective presiding officer. The standing committee
11 shall, within sixty days from the receipt of such proposed rule,
12 regulation or amendment approve or recommend disapproval to the
13 House of Representatives or the Senate of any such proposed
14 rule, regulation or amendment. Failure of the standing committee
15 to recommend disapproval and of the House of Representatives and
16 Senate to disapprove any proposed rule, regulation or amendment
17 within the review time shall constitute approval thereof. If the
18 standing committees of both the Senate and the House of
19 Representatives recommend disapproval and the House of
20 Representatives and the Senate disapproves any proposed rule,
21 regulation or amendment, the bureau, board or commission shall
22 not adopt the proposed rule, regulation or amendment and it
23 shall not be again offered for one year. Only in the absence of
24 a disapproval the bureau, board or commission shall proceed with
25 the adoption of the rule, regulation or amendment in accordance
26 with section 202 of the act of July 31, 1968 (P.L.769, No.240),
27 referred to as the Commonwealth Documents Law. be] be submitted
28 to the Secretary of the Senate and the Chief Clerk of the House
29 of Representatives who shall cause the rules or regulations to
30 be printed and distributed among all members of both chambers in

1 the same manner as a reorganization plan. If both bodies fail to
2 act within sixty days of receipt of such rules or regulations,
3 or within ten legislative days after receipt, whichever shall
4 last occur, rules or regulations adopted by the appropriate
5 professional or occupational board, or the Bureau of
6 Professional and Occupational Affairs shall be promulgated
7 pursuant to the provisions of the act of July 31, 1968 (P.L.769,
8 No.240), referred to as the Commonwealth Documents Law and 45
9 Pa.C.S. Part II (relating to publication and effectiveness of
10 Commonwealth documents). If either chamber disapproves any rule
11 or regulation, such information shall be certified by the
12 Speaker of the House of Representatives or President pro tempore
13 of the Senate to the appropriate professional or occupational
14 board, or the Bureau of Professional and Occupational Affairs,
15 and such rule or regulation shall not be promulgated as a final
16 rule or regulation.

17 Section 2. This act shall take effect immediately and shall
18 be retroactive to October 8, 1980.