

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 788

Session of
1983

INTRODUCED BY HUTCHINSON, APRIL 13, 1983

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 13, 1983

AN ACT

1 Amending the act of October 15, 1980 (P.L.950, No.164), entitled
2 "A supplement to the act of April 9, 1929 (P.L.177, No.175),
3 entitled 'An act providing for and reorganizing the conduct
4 of the executive and administrative work of the Commonwealth
5 by the Executive Department thereof and the administrative
6 departments, boards, commissions, and officers thereof,
7 including the boards of trustees of State Normal Schools, or
8 Teachers Colleges; abolishing, creating, reorganizing or
9 authorizing the reorganization of certain administrative
10 departments, boards, and commissions; defining the powers and
11 duties of the Governor and other executive and administrative
12 officers, and of the several administrative departments,
13 boards, commissions, and officers; fixing the salaries of the
14 Governor, Lieutenant Governor, and certain other executive
15 and administrative officers; providing for the appointment of
16 certain administrative officers, and of all deputies and
17 other assistants and employes in certain departments, boards,
18 and commissions; and prescribing the manner in which the
19 number and compensation of the deputies and all other
20 assistants and employes of certain departments, boards and
21 commissions shall be determined,' implementing the addition
22 of section 4.1 to Article IV of the Constitution of
23 Pennsylvania; establishing the Office of Attorney General
24 elected by the citizens and setting forth powers and duties
25 of the Attorney General; creating an Office of General
26 Counsel and providing for legal services for Commonwealth
27 agencies; transferring, reorganizing or reconstituting
28 certain boards, commissions and agencies; placing certain
29 duties upon the courts and district attorneys; repealing
30 certain acts and parts of acts and making appropriations,"
31 imposing powers and duties on the Office of Attorney General
32 relating to supervision and administration of the
33 Pennsylvania Crime Commission.

1 The General Assembly of the Commonwealth of Pennsylvania
2 hereby enacts as follows:

3 Section 1. Sections 201 and 206 of the act of October 15,
4 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act,
5 are amended to read:

6 Section 201. Established as an independent department.

7 (a) General provisions.--The Office of Attorney General
8 shall be an independent department and shall be headed by the
9 Attorney General. The Attorney General shall exercise such
10 powers and perform such duties as are hereinafter set forth. As
11 an independent administrative department the Office of Attorney
12 General shall be subject to the same limitations contained in
13 the act of April 9, 1929 (P.L.177, No.175), known as "The
14 Administrative Code of 1929," and all other acts as are
15 applicable to the independent Department of Auditor General or
16 State Treasury.

17 (b) Consumer Advocate.--The Attorney General shall appoint a
18 Consumer Advocate which appointment shall be subject to the
19 approval of a majority of the members elected to the Senate. The
20 Consumer Advocate shall perform the duties and have the powers
21 set forth in Article IX-A of "The Administrative Code of 1929."

22 (c) Bureaus, divisions and personnel.--The Attorney General
23 shall appoint and fix the compensation of a first deputy
24 attorney general, a director of the Bureau of Consumer
25 Protection and such other deputies, officers and employees who
26 may, at any time, exercise such powers and perform such duties
27 as may be prescribed by the Attorney General. The Attorney
28 General may establish such bureaus or divisions as may be
29 required for the proper conduct of the office, including a
30 criminal investigation bureau.

1 (d) Pennsylvania Crime Commission.--The Attorney General
2 shall appoint and fix the compensation of an executive director
3 of the Pennsylvania Crime Commission and such other officers and
4 employees as the commission may require for the proper conduct
5 of the commission.

6 Section 206. Law enforcement and criminal investigations;
7 investigating grand juries.

8 (a) Law enforcement; criminal investigations.--The Attorney
9 General shall be the chief law enforcement officer of the
10 Commonwealth; the district attorney shall be the chief law
11 enforcement officer for the county in which he is elected. The
12 Attorney General shall have the power to investigate any
13 criminal offense which he has the power to prosecute under
14 section 205; he shall continue the existing programs relating to
15 drug law enforcement. The Pennsylvania State Police shall
16 cooperate with the Attorney General and furnish such services as
17 the Attorney General shall request.

18 (b) Investigating grand juries.--The Attorney General shall
19 convene and conduct investigating grand juries as provided in
20 the act of November 22, 1978 (P.L.1148, No.271), known as the
21 "Investigating Grand Jury Act."

22 (c) Pennsylvania Crime Commission.--The Attorney General
23 shall administer and supervise the activities of the
24 Pennsylvania Crime Commission as set forth in the act of October
25 4, 1978 (P.L.876, No.169), known as the "Pennsylvania Crime
26 Commission Act."

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