

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1222 Session of
1993

INTRODUCED BY GEIST, FICHTER, SATHER, S. H. SMITH, ALLEN,
ARGALL, ARMSTRONG, BAKER, BARLEY, BIRMELIN, BROWN, BUNT,
BUSH, CESSAR, CLARK, CLYMER, CORNELL, DENT, DRUCE, DURHAM,
EGOLF, FARMER, FLEAGLE, FLICK, GANNON, GERLACH, GLADECK,
GODSHALL, GRUPPO, HASAY, HERSHEY, HESS, HUTCHINSON, KING,
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NICKOL, O'BRIEN, PERZEL, PETTIT, PHILLIPS, PITTS, PLATTS,
RAYMOND, REBER, REINARD, ROHRER, RYAN, SAURMAN, SCHEETZ,
SCHULER, SEMMEL, SERAFINI, B. SMITH, D. W. SNYDER, STAIRS,
STRITTMATTER, J. TAYLOR, TOMLINSON, TULLI, VANCE, WAUGH,
WOGAN, M. N. WRIGHT AND ZUG, APRIL 19, 1993

REFERRED TO COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT,
APRIL 19, 1993

AN ACT

1 Providing for the obtaining of permits by businesses; and
2 imposing duties on the Department of Commerce.

3 It is the sense of the General Assembly that the burdens
4 placed upon persons proposing to undertake certain types of
5 businesses in this Commonwealth through requirements to obtain
6 numerous permits and related documents from various State
7 agencies are undesirable and should be alleviated. The General
8 Assembly further finds that present methods for obtaining the
9 permits from State agencies place hardships on persons
10 attempting to go into business for themselves. The General
11 Assembly further finds that multiple inspections related to
12 these permits by the various State agencies are also a burden on
13 many businesses which should be alleviated.

1 It is hereby declared to be the policy of the Commonwealth
2 that a program be established to seek to alleviate these
3 problems for businesses.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the One-Stop
8 Licensing Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Department." The Department of Commerce of the
14 Commonwealth.

15 "Permit." Any license, permit, certificate, certification,
16 approval, compliance schedule or other similar document
17 pertaining to regulation of businesses in general, plus all
18 health, safety and consumer protection regulations as required
19 by any State agency. For purposes of this act, the term does not
20 include licenses issued by the Bureau of Motor Vehicles of the
21 Department of Transportation.

22 "Person." Any individual, partnership, cooperative or
23 private corporation attempting to establish a business operation
24 in a new location or seeking to continue an existing business
25 operation.

26 Section 3. Master application; form; master permit; total fee;
27 agencies covered; renewal.

28 (a) Master application.--Any person proposing a new business
29 operation after June 1, 1993, shall submit a master application
30 to the department requesting the issuance of all permits

1 necessary prior to opening a new operation in this Commonwealth.
2 The master application shall be on a form furnished by the
3 department and shall contain in consolidated form all
4 information necessary for the various State agencies to issue a
5 permit. These provisions shall apply to persons seeking to
6 continue an existing operation after January 1, 1994.

7 (b) Department to send copy to State agencies.--Upon receipt
8 of a properly completed master application, the department shall
9 immediately send a copy to each State agency with potential
10 jurisdiction over the proposed operation. Each notified agency
11 shall respond in writing to the department within a reasonable
12 time, as determined by the department, advising the department
13 and the applicant:

14 (1) that it approves the application;

15 (2) that it approves with certain conditions as
16 specified; or

17 (3) that it denies the application with reasons given
18 for the denial.

19 The department shall then issue a master permit covering all the
20 approvals and conditions, excluding any denials. It shall be the
21 responsibility of the applicant to make appeals on conditions
22 imposed or on permit denial through that normal appeal process
23 established by the agency with jurisdiction for issuance of such
24 permit.

25 (c) Fees.--A total fee based on the sum of fees for
26 individual permits requested shall accompany each master
27 application and shall be collected by the department and used to
28 reimburse the various State agencies as per their schedules. The
29 issuance of a master permit shall be in lieu of any permit,
30 certificate or similar document required by any agency listed in

1 subsection (d).

2 (d) Agencies enumerated.--All permits and inspections
3 related to business operations by the following State agencies
4 shall be covered under this act:

5 (1) Department of Revenue.

6 (2) Department of Labor and Industry.

7 (3) Department of Commerce.

8 (4) Department of Agriculture.

9 (5) Department of State.

10 (6) Pennsylvania Liquor Control Board.

11 (7) Pennsylvania Public Utility Commission.

12 (8) Department of Transportation.

13 (9) Any other State agency that may now or in the future
14 issue permits or make inspections of business operations, but
15 nothing in this section shall be construed to eliminate State
16 or local government health or safety inspections.

17 (e) Expiration of permits.--All individual permits covered
18 by this act shall expire according to a staggered schedule to be
19 specified by the Department of Commerce. Costs for permits
20 issued in the interim will be prorated according to the time
21 each permit is in force.

22 (f) Renewal of permits.--Starting January 1, 1993, annual
23 renewals for all individual permits shall be replaced by a
24 master permit issued by the Department of Commerce. Renewals
25 shall be automatically granted under conditions originally
26 imposed unless one of the regulatory agencies informs the
27 department of revised restrictions to be imposed prior to such
28 issuance.

29 Section 4. Coordination and consolidation of inspections.

30 The Secretary of Revenue is authorized to establish a program

1 for coordinating all inspections by State agencies of business
2 establishments. Where practicable under existing law, he is
3 authorized to require that inspections with similar objectives
4 or involving common expertise be consolidated and performed by
5 one inspector at one time. The secretary shall be authorized to
6 provide special training to inspectors where it is determined
7 that such training will assure the consolidation of certain
8 inspections.

9 Section 5. Permit-issuing centers.

10 The department shall establish permit-issuing centers in its
11 offices at Harrisburg and in cooperation with the Department of
12 Revenue, in all of the district offices of the Department of
13 Revenue.

14 Section 6. Report to General Assembly.

15 The department, after consultation with other State agencies
16 and affected businesses, shall submit to the General Assembly by
17 January 1, 1994, a report setting forth the results of the
18 experience under this act, together with any recommendations
19 for:

20 (1) Consolidating inspections further by change in
21 existing statutes.

22 (2) Expanding the program to include other types of
23 permits.

24 (3) Further improving procedures.

25 Section 7. Effective date.

26 This act shall take effect immediately.