

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1952 Session of
1993

INTRODUCED BY GANNON, RAYMOND, ADOLPH, CIVERA, REBER, PICCOLA
AND LEE, JUNE 24, 1993

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 24, 1993

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 additional limitations on consent decrees.

32 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. Sections 204(e) and 301(12) of the act of October
3 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys
4 Act, are amended to read:

5 Section 204. Legal advice and civil matters.

6 * * *

7 (e) Limitations in civil litigations.--The Attorney General
8 shall not agree to the entry of a consent decree in any action
9 against the Commonwealth or any agency without the approval of
10 the Governor and without both notice to the General Assembly
11 through the offices of the Secretary of the Senate and the Chief
12 Clerk of the House of Representatives and approval of the
13 General Assembly by concurrent resolution.

14 * * *

15 Section 301. General Counsel.

16 There is hereby established the Office of General Counsel
17 which shall be headed by a General Counsel appointed by the
18 Governor to serve at his pleasure who shall be the legal advisor
19 to the Governor and who shall:

20 * * *

21 (12) Not agree to the entry of a consent decree in any
22 action against the Commonwealth or any executive agency
23 without the approval of the Governor and the Attorney General
24 and without both notice to the General Assembly through the
25 offices of the Secretary of the Senate and Chief Clerk of the
26 House of Representatives and approval of the General Assembly
27 by concurrent resolution.

28 Section 2. This act shall apply to all civil litigation
29 commenced on or after the effective date of this act.

30 Section 3. This act shall take effect in 60 days.