

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 301

Session of
1975

INTRODUCED BY ANDERSON, GEESEY, LEHR, A. C. FOSTER JR., DORR,
S. E. HAYES JR., DIETZ AND MEBUS, FEBRUARY 10, 1975

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 10, 1975

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 that the
21 Department of Justice shall furnish legal opinions to the
22 General Assembly on certain matters.

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

25 Section 1. Section 902, act of April 9, 1929 (P.L.177,
26 No.175), known as "The Administrative Code of 1929," amended
27 December 17, 1970 (P.L.935, No.292), is amended by adding a
28 clause to read:

1 Section 902. Legal Advice.--The Department of Justice shall
2 have the power, and its duty shall be:

3 (a) To furnish legal advice to the Governor, and to all
4 administrative departments, other than the Department of the
5 Auditor General, boards, commissions, and officers of the State
6 Government, concerning any matter or thing arising in connection
7 with the exercise of the official powers or the performance of
8 the official duties of the Governor, or such administrative
9 departments, boards, commissions, or officers;

10 (b) To supervise, direct and control all of the legal
11 business of every administrative department, other than the
12 Department of the Auditor General, board, and commission of the
13 State Government.

14 (c) To furnish official legal opinions, upon request, to any
15 member of the General Assembly on matters arising in connection
16 with the exercise of the official powers or duties of all
17 administrative departments, boards, agencies or commissions.

18 Section 2. This act shall take effect 60 days from the date
19 of enactment.