
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 17

Session of
1977

INTRODUCED BY FISCHER, JANUARY 19, 1977

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 19, 1977

AN ACT

1 Relating to the expiration, continuation or reenactment of
2 boards, councils, commissions and agencies.

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

5 Section 1. Legislative findings.

6 The General Assembly finds that State Government has produced
7 an inexorable increase in numbers of agencies, growth of
8 programs, and proliferation of rules and regulations and that
9 the whole process developed without adequate legislative
10 oversight, regulatory accountability, or a system of checks and
11 balances. The General Assembly further finds that by
12 establishing a system for the termination, continuation, or
13 reestablishment of such agencies, it will be in a better
14 position to evaluate the need for the continued existence of
15 existing and future regulatory bodies.

16 Section 2. Termination of boards, commissions, councils and
17 agencies.

18 (a) Unless specifically authorized to continue in being and

1 function by act of the General Assembly subsequent to the
2 effective date of this act, every board, commission, special or
3 independent agency and council heretofore created by law, or by
4 resolution adopted jointly by the House of Representatives and
5 the Senate or by either of them, shall wind up its affairs and
6 go out of existence according to the following schedule:

7 (1) On July 1, 1977

8 Board of Trustees for the Slippery Rock State College

9 Board of Trustees for the West Chester State College

10 Board of Trustees for the Pennsylvania State University

11 Board of Trustees for the Temple University--of the

12 Commonwealth System of Higher Education

13 Board of Trustees for the Philadelphia State Hospital

14 Board of Trustees for the Philipsburg State General

15 Hospital

16 Board of Trustees for the Polk State School and Hospital

17 Board of Trustees for the Retreat State Hospital

18 Board of Trustees for the Scranton State General Hospital

19 Board of Trustees for the Selinsgrove State School and

20 Hospital

21 Board of Trustees for the Shamokin State General Hospital

22 Board of Trustees for the Pennsylvania Soldiers' and

23 Sailors' Home

24 The State Board of Medical Education and Licensure

25 The State Board of Motor Vehicle Manufacturers, Dealers

26 and Salesmen

27 The State Board of Nurse Examiners

28 The State Board of Examiners of Nursing Home

29 Administrators

30 The Pennsylvania Labor Relations Board

1 The Pennsylvania Liquor Control Board
2 The Examiners for the Pennsylvania Liquor Control Board
3 The Milk Marketing Board
4 The Mobile Home Standards Advisory Commission
5 The Pennsylvania Housing Finance Agency
6 The Pennsylvania Human Relations Commission
7 The Industrial Board
8 The Pennsylvania Industrial Development Authority
9 The State Lottery Commission
10 The Commonwealth Mental Health Research Foundation
11 The State Military Reservation Commission
12 The Pennsylvania Minority Business Development Authority
13 The Ohio River Valley Water Sanitation Commission for
14 the Commonwealth of Pennsylvania
15 The Board of Ethics
16 The Pennsylvania Higher Education Assistance Agency
17 The Interstate Compact Commission for Education
18 The Environmental Quality Board
19 The State Board of Private Academic Schools
20 The State Board of Private Business Schools
21 The State Board of Private Correspondence Schools
22 The State Board of Private Trade Schools
23 The Port Authority of the City of Erie
24 The General State Authority
25 The Advisory Committee for General and Special Hospitals
26 The State Highway and Bridge Authority
27 The Advisory Council for Comprehensive Health Planning
28 The Governor's Advisory Council on International Commerce
29 The Advisory Committee to the Nursing Home Ombudsman
30 Demonstration Project

1 The Governor's Science Advisory Committee
2 The Governor's Committee on Tax Reform
3 The Governor's Task Force on Inflation and Economy
4 The Interstate Emergency Medical Services Task Force
5 The Landlord and Tenants Task Force
6 The Adams County Board of Assistance
7 The Allegheny County Board of Assistance
8 The Armstrong County Board of Assistance
9 The Beaver County Board of Assistance
10 The Bedford County Board of Assistance
11 The Berks County Board of Assistance
12 The Blair County Board of Assistance
13 The Bradford County Board of Assistance
14 The Bucks County Board of Assistance
15 The Butler County Board of Assistance
16 The Cambria County Board of Assistance
17 The Cameron County Board of Assistance
18 The Carbon County Board of Assistance
19 The Centre County Board of Assistance
20 (2) On July 1, 1978
21 Board of Trustees for the Bloomsburg State College
22 Board of Trustees for the California State College
23 Board of Trustees for the Cheyney State College
24 Board of Trustees for the Clarion State College
25 Board of Trustees for the Allentown State Hospital
26 Board of Trustees for Ashland State General Hospital
27 Board of Trustees for Clarks Summit State Hospital
28 Board of Trustees for Coaldale State General Hospital
29 Board of Trustees for Connellsville State General
30 Hospital

1 Board of Trustees for Cresson State School and Hospital
2 Board of Trustees for Danville State Hospital
3 Board of Trustees for Dixmont State Hospital
4 Board of Trustees for the Thaddeus Stevens Trade School
5 The State Board of Cosmetology
6 The State Dental Council and Examining Board
7 The State Registration Board for Professional
8 Engineers
9 The State Board of Funeral Directors
10 The Unemployment Compensation Board of Review
11 The Workmen's Compensation Appeal Board
12 The Armory Board of the State of Pennsylvania
13 The Eastern Youth Development Centers
14 The Pennsylvania Higher Education Assistance Agency
15 The State Farm Products Show Commission
16 The Pennsylvania Fish Commission
17 The Pennsylvania Game Commission
18 The Great Lakes Commission for the Commonwealth of
19 Pennsylvania
20 The Hazardous Substances Transportation Board
21 The Advisory Health Board
22 The Pennsylvania Historical and Museum Commission
23 The Industrialized Housing Advisory Commission
24 The Professional Standards and Practices Commission
25 The Advisory Committee for Public Assistance
26 The State Board of Vocational Rehabilitation
27 The Savings Association Board
28 The State Public School Building Authority
29 The Pennsylvania Commission on School Finance
30 The State Board for Certification of Sewage Treatment

1 Plant and Waterworks Operators
2 The State Conservation Commission
3 The Susquehanna River Basin Commission
4 The Southeastern Pennsylvania Transportation Authority
5 The Advisory Committee on Pennsylvania Solid Waste
6 Management Act
7 The Wheeling Creek Watershed Protection and Flood
8 Prevention Commission
9 The Governor's Business Advisory Council
10 The Commonwealth Developmental Disabilities Planning and
11 Advisory Council
12 The Governor's Energy Council
13 The Governor's Committee on Venereal Disease
14 The Governor's Land Inventory Committee
15 The Task Force on Cancer Control
16 The Governor's Study Commission on Capital Punishment
17 The Pennsylvania Diabetes Institute
18 The Task Force to Eliminate Discrimination Against Women
19 and Minority Groups in State Government
20 The Chester County Board of Assistance
21 The Clarion County Board of Assistance
22 The Clearfield County Board of Assistance
23 The Clinton County Board of Assistance
24 The Columbia County Board of Assistance
25 The Crawford County Board of Assistance
26 The Cumberland County Board of Assistance
27 The Dauphin County Board of Assistance
28 The Delaware County Board of Assistance
29 The Elk County Board of Assistance
30 The Erie County Board of Assistance

1 The Fayette County Board of Assistance
2 The Forest County Board of Assistance
3 (3) On July 1, 1979
4 Board of Trustees for the Edinboro State College
5 Board of Trustees for East Stroudsburg State College
6 Board of Trustees for Indiana University of Pennsylvania
7 Board of Trustees for Kutztown State College
8 Board of Trustees for Hollidaysburg State Hospital
9 Board of Trustees for Laurelton State School and Hospital
10 Board of Trustees for Locust Mountain State General
11 Hospital
12 Board of Trustees for Mayview State Hospital
13 Board of Trustees for Nanticoke State General Hospital
14 Board of Trustees for Norristown State Hospital
15 Board of Trustees for Pennhurst State School and Hospital
16 Board of Trustees for Scotland School for Veterans'
17 Children
18 The State Board of Optometrical Examiners
19 The State Board of Osteopathic Examiners
20 The State Board of Pharmacy
21 The State Board of Podiatry Examiners
22 The Pennsylvania National Guard General Officers
23 The Board of Pardons
24 The Pennsylvania Parkway Commission
25 The Pennsylvania Board of Probation and Parole
26 The Board of State College and University Directors
27 The Pennsylvania Public Television Network Commission
28 The State Transportation Commission
29 The Board of Commissioners on Uniform State Laws
30 The Valley Forge Park Commission

1 The State Veterans' Commission
2 The Washington Crossing Park Commission
3 The Weather Modification Board
4 The Board of the Western Restoration Centers
5 The Board of the Western Youth Development Centers
6 The Advisory Board (Prevailing Wage Act)
7 The Advisory Committee on Standards
8 The Appeals Board (Prevailing Wage Act)
9 The State Advisory Council (On Unemployment Compensation)
10 The State Apprenticeship and Training Council
11 The Advisory Committee on Atomic Energy Development and
12 Radiation Control
13 The Banking Board
14 The Advisory Committee for the Aging
15 The Advisory Committee for the Blind
16 The Advisory Board for Boating
17 The Bicentennial Commission of Pennsylvania
18 The Board for the Central Youth Development Centers
19 The State Manpower Planning Council
20 The State Manpower Services Council
21 The Consumer Advisory Committee of Blue Cross of
22 Greater Philadelphia
23 The Governor's Committee Concerned with Diabetes and
24 Blindness
25 The Task Force to Study Mercy-Douglass Hospital Facility
26 The Governor's Commission on Mortgage and Interest Rates
27 The Special Task Force on State Pension Reform
28 The Governor's Fact Finding Committee, Shippinport
29 Nuclear Power Station
30 The Franklin County Board of Assistance

1 The Fulton County Board of Assistance
2 The Greene County Board of Assistance
3 The Huntingdon County Board of Assistance
4 The Indiana County Board of Assistance
5 The Jefferson County Board of Assistance
6 The Juniata County Board of Assistance
7 The Lackawanna County Board of Assistance
8 The Lancaster County Board of Assistance
9 The Lawrence County Board of Assistance
10 The Lebanon County Board of Assistance
11 The Lehigh County Board of Assistance
12 The Luzerne County Board of Assistance
13 The Lycoming County Board of Assistance
14 (4) On July 1, 1980
15 Board of Trustees for the Lock Haven State College
16 Board of Trustees for the Mansfield State College
17 Board of Trustees for the Millersville State College
18 Board of Trustees for the Shippensburg State College
19 Board of Trustees for the Eastern State School and
20 Hospital
21 Board of Trustees for the Ebensburg State School and
22 Hospital
23 Board of Trustees for the Embreeville State Hospital
24 Board of Trustees for the Farview State Hospital
25 Board of Trustees for the Hamburg State School and
26 Hospital
27 Board of Trustees for the Harrisburg State Hospital
28 Board of Trustees for the Haverford State Hospital
29 Board of Trustees for the Hazleton State General Hospital
30 The Pennsylvania Board of Psychologist Examiners

1 The State Board for the Examination of Public Accountants
2 The State Real Estate Commission
3 The State Board of Veterinary Medical Examiners
4 The Pennsylvania Public Utility Commission
5 The Pennsylvania Securities Commission
6 The State Tax Equalization Board
7 The Pennsylvania Turnpike Commission
8 The Commonwealth of Pennsylvania Council on the Arts
9 The State Art Commission
10 The Atlantic States Marine Fisheries Commission for the
11 Commonwealth of Pennsylvania
12 The Central Youth Development Centers
13 The Delaware Valley Regional Planning Commission
14 The Joint Committee on Documents
15 The Pennsylvania Drug, Device and Cosmetic Board
16 The State Board of Education
17 The Eastern Mental Health Center
18 The Eastern Pennsylvania Psychiatric Institute
19 The Independence National Historical Park Advisory
20 Commission
21 The Pennsylvania Commission on Interstate Cooperation
22 The Interstate Oil Compact Commission
23 The Advisory Council on Library Development
24 The Local Government Records Committee
25 The Medical Advisory Board to the State Athletic
26 Commission
27 The Advisory Committee for Mental Health and Mental
28 Retardation
29 The State Military Reservation Commission (Inactive)
30 The Ohio River Basin Commission

1 The Pennsylvania Parent Assistance Authority
2 The Pesticide Advisory Board
3 The Municipal Police Officers' Education and Training
4 Commission
5 The Interstate Commission on the Potomac River Basin for
6 the Commonwealth of Pennsylvania
7 The Governor's Affirmative Action Council
8 The Appalachian National Scenic Trail Advisory Council
9 The Pennsylvania Food Advisory Committee
10 The Governor's Committee on Health Education in
11 Pennsylvania
12 The Governor's Committee for Migrant Services
13 The Governor's Commission on Fire Prevention and Control
14 The State Advisory Board on Health Care Costs
15 The Governor's Task Force on Hypertension
16 The McKean County Board of Assistance
17 The Mercer County Board of Assistance
18 The Mifflin County Board of Assistance
19 The Monroe County Board of Assistance
20 The Montgomery County Board of Assistance
21 The Montour County Board of Assistance
22 The Northampton County Board of Assistance
23 The Perry County Board of Assistance
24 The Philadelphia County Board of Assistance
25 The Pike County Board of Assistance
26 The Potter County Board of Assistance
27 The Schuylkill County Board of Assistance
28 (5) On July 1, 1981
29 Board of Trustees for the University of Pittsburgh--of
30 the Commonwealth System of Higher Education

1 Board of Trustees for the Lincoln University--of the
2 Commonwealth System of Higher Education
3 Board of Trustees for the Somerset State Hospital
4 Board of Trustees for the Torrance State Hospital
5 Board of Trustees for the Warren State Hospital
6 Board of Trustees for the Wernersville State Hospital
7 Board of Trustees for the Western State School and
8 Hospital
9 Board of Trustees for the White Haven State School and
10 Hospital
11 Board of Trustees for the Woodville State Hospital
12 Board of Trustees for the Pennsylvania State Oral School
13 for the Deaf
14 The State Board of Examiners of Architects
15 The State Board of Landscape Architects
16 The State Board of Auctioneer Examiners
17 The State Board of Barber Examiners
18 The State Board of Chiropractic Examiners
19 The Board of Arbitration of Claims
20 The State Athletic Commission
21 The State Civil Service Commission
22 The Environmental Hearing Board
23 The State Planning Board
24 The Advisory Committee on Probation
25 The Pennsylvania Board of Probation and Parole
26 The State Board of Public Welfare
27 The State Harness Racing Commission
28 The State Horse Racing Commission
29 The Renal Disease Advisory Committee
30 The Public School Employees' Retirement Board

1 The State Employees' Retirement Board
2 The Board of Pennsylvania Science and Engineering
3 Foundation
4 The Advisory Committee for Children and Youth
5 The Citizens Advisory Council
6 The Governor's Justice Commission
7 The Commission on Charitable Organizations
8 The County Records Committee
9 The State Council of Civil Defense
10 The Delaware River Joint Toll Bridge Commission
11 The Delaware River Basin Commission
12 The Delaware River Port Authority
13 The Delaware Valley Regional Planning Commission
14 The Governor's Council on Drug and Alcohol Abuse
15 The Citizens Commission on Basic Education
16 The Pennsylvania Postsecondary Education Planning
17 Commission
18 The Governor's Council on Opportunity for
19 Spanish-Speaking
20 The Governor's Youth Traffic Council
21 The Governor's Traffic Safety Council
22 The Governor's Interdepartmental Council on Seasonal
23 Farmworkers
24 The Blue Ribbon Committee for the Temple University
25 Hospital of Temple University
26 The Governor's Advisory Committee on the Coal Miners
27 Respiratory Disease and Rehabilitation Program
28 The Regional Transportation Task Force
29 The Governor's Task Force on Venereal Disease
30 The Pennsylvania Commission for Women

1 The Snyder County Board of Assistance
2 The Somerset County Board of Assistance
3 The Sullivan County Board of Assistance
4 The Susquehanna County Board of Assistance
5 The Tioga County Board of Assistance
6 The Union County Board of Assistance
7 The Venango County Board of Assistance
8 The Warren County Board of Assistance
9 The Washington County Board of Assistance
10 The Wayne County Board of Assistance
11 The Westmoreland County Board of Assistance
12 The Wyoming County Board of Assistance
13 The York County Board of Assistance

14 (b) The terms of officers and members of any reestablished
15 or recreated boards, commissions or agencies shall not be
16 altered in any manner whatsoever at the time of their
17 reestablishment or recreation or at any other time.

18 Section 3. Terms of office for members of boards, councils,
19 commissions and agencies.

20 Notwithstanding any law presently or hereafter enacted,
21 except as to such boards, commissions, agencies or councils
22 reestablished or recreated by act of assembly hereafter
23 approved, the terms of all officers of any board, commission,
24 council or agency shall end on the same date as the agency set
25 forth in section 2.

26 Section 4. Limited continuation after termination.

27 Upon termination, each board, council, commission or agency
28 shall continue in existence until July 1 of the next succeeding
29 year for the purpose of winding up its affairs. Termination
30 shall not reduce or otherwise limit the powers or authority of

1 each respective agency, board, council or commission. Upon the
2 expiration of the one year after termination, each respective
3 agency, board, council or commission shall cease all activities.

4 Section 5. Continuation or reestablishment of boards, councils,
5 commissions and agencies.

6 The life of any board, council, commission or agency
7 scheduled for termination under this section may be continued or
8 reestablished by the General Assembly for periods not to exceed
9 six years. Any newly created commission, board, council or
10 agency shall have a life not to exceed six years and shall be
11 subject to the provisions of this section.

12 Section 6. Joint Review Commission.

13 The entire membership of the House of Representatives and the
14 entire membership of the Senate shall constitute a continuing
15 joint legislative commission, to be known as the Joint Review
16 Commission. The President pro tempore of the Senate, the Speaker
17 of the House of Representatives, the majority and minority
18 leaders of each house, the majority and minority whips of each
19 house, and the chairman of the majority and minority caucuses of
20 each house, shall constitute the executive committee of the
21 commission. The President pro tempore of the Senate, the Speaker
22 of the House of Representatives, the majority and minority
23 leaders of each house, the majority and minority whips of each
24 house, and the chairman of the majority and minority caucuses of
25 each house may designate any member of the Senate or House,
26 respectively, to act in their stead and to serve at their
27 discretion as a member of the executive committee. The
28 commission shall organize by the selection of a chairman who
29 shall be selected by the executive committee and who shall be
30 exofficio a member of the executive committee without a vote.

1 The commission shall have power to employ a director and such
2 professional, technical, clerical and other assistance as may be
3 deemed necessary. The commission shall have power to call upon
4 any department or agency of the State Government for such
5 information as it deems pertinent to the studies in which it is
6 engaged. The commission shall also have the power to designate
7 persons, other than members of the General Assembly, to act in
8 advisory capacities. The commission shall organize within 30
9 days after the final enactment of this act, and thereafter the
10 executive committee shall hold the organization meeting within
11 30 days after the convening of the regular session of the
12 General Assembly in odd-numbered years beginning with the
13 regular session of 1977. Meetings of the commission shall be
14 scheduled by the executive committee. The executive committee
15 shall conduct the business of the commission and shall meet at
16 the call of the chairman or upon written request of six or more
17 members thereof. The commission shall be responsible for
18 implementing the provisions of this act.

19 Section 7. Public hearings.

20 (a) Prior to the termination, continuation, or
21 reestablishment of any such board, council, commission or
22 agency, the Joint Review Commission shall hold a public hearing,
23 receiving testimony from the public and the agency, board,
24 council or commission involved, and in such a hearing the
25 agency, board, council or commission shall have the burden of
26 proving a public need for its continued existence.

27 (b) In such hearings, the determination as to whether an
28 agency, board, council or commission has proved a public need
29 for its continued existence shall take into consideration the
30 following factors, among others:

1 (1) the extent to which affirmative action requirements
2 of State or Federal Government have been complied with by the
3 agency, board, council or commission or the industry it
4 regulates;

5 (2) the extent to which the agency, board, council or
6 commission has operated in the most efficient manner;

7 (3) the extent to which the agency, board, council or
8 commission has recommended statutory changes to the General
9 Assembly which would benefit the public as opposed to the
10 persons it regulates;

11 (4) the extent to which the agency, board, council or
12 commission has required the persons it regulates to report to
13 it concerning the impact of rules and decisions of the
14 agency, board, council or commission on the public regarding
15 improved service, economy of service, and availability of
16 service;

17 (5) the extent to which persons regulated by the agency,
18 board, council or commission have been required to assess
19 problems in their industry which affect the public;

20 (6) the extent to which the agency, board, council or
21 commission has encouraged participation by the public in
22 making its rules and decisions as opposed to participation
23 solely by the persons it regulates;

24 (7) the extent to which the agency, board, council or
25 commission has expeditiously processed to completion
26 complaints from the public concerning persons the agency,
27 board, council or commission regulates, which complaints are
28 filed with the agency, board, council or commission; and

29 (8) the extent to which changes are necessary in the
30 enabling laws of the agency, board, council or commission to

1 adequately comply with the factors listed in this subsection.

2 Section 8. Legislation for continuation or reenactment.

3 No more than one such commission, board, council or agency
4 shall be continued or reestablished in any bill and such
5 commission, board, council or agency shall be mentioned in the
6 bill's title.

7 Section 9. Causes of actions.

8 This act shall not cause the dismissal of any claim or right
9 of a citizen against any such agency, board, council or
10 commission or any claim or right of an agency, board, council or
11 commission terminated pursuant to this act which is subject to
12 litigation.

13 Section 10. Effective date.

14 This act shall take effect immediately.