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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL  
No. 1429 Session of  
1989

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INTRODUCED BY DeWEESE AND BROUJOS, MAY 22, 1989

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AS AMENDED ON THIRD CONSIDERATION, IN SENATE, JUNE 30, 1989

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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," further providing for  
21 increased fees and additional fees for the Department of  
22 Labor and Industry; FURTHER PROVIDING FOR THE <—  
23 REESTABLISHMENT, ADMINISTRATION AND OPERATION OF THE STATE  
24 PLANNING BOARD; ~~AND~~ FURTHER PROVIDING FOR NO-BID CONTRACTS <—  
25 AND FOR CERTAIN PURCHASES IN THE OPEN MARKET BY INCREASING  
26 THE COST OF SUCH PURCHASES; AND PROVIDING FOR SPECIAL STATE <—  
27 DUTY FOR THE PENNSYLVANIA NATIONAL GUARD AND THE PAY FOR  
28 ENLISTED PERSONNEL PERFORMING FEDERALLY FUNDED DUTY.

29 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 SECTION 1. AS MUCH AS RELATES TO THE STATE PLANNING BOARD IN <—  
3 THE DEPARTMENT OF COMMERCE IN SECTION 202 OF THE ACT OF APRIL 9,  
4 1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF  
5 1929, REENACTED AND AMENDED JULY 9, 1976 (P.L.980, NO.197), IS  
6 AMENDED TO READ:

7 SECTION 202. DEPARTMENTAL ADMINISTRATIVE BOARDS,  
8 COMMISSIONS, AND OFFICES.--THE FOLLOWING BOARDS, COMMISSIONS,  
9 AND OFFICES ARE HEREBY PLACED AND MADE DEPARTMENTAL  
10 ADMINISTRATIVE BOARDS, COMMISSIONS, OR OFFICES, AS THE CASE MAY  
11 BE, IN THE RESPECTIVE ADMINISTRATIVE DEPARTMENTS MENTIONED IN  
12 THE PRECEDING SECTION, AS FOLLOWS:

13 \* \* \*

14 IN THE DEPARTMENT OF COMMERCE,

15 [STATE PLANNING BOARD,]

16 NAVIGATION COMMISSION FOR THE DELAWARE RIVER AND ITS  
17 NAVIGABLE TRIBUTARIES;

18 \* \* \*

19 SECTION 2. SECTIONS 448(M) AND (O) OF THE ACT, ADDED AUGUST  
20 11, 1967 (P.L.234, NO.87) AND MARCH 14, 1968 (P.L.57, NO.18),  
21 ARE AMENDED TO READ:

22 SECTION 448. ADVISORY BOARDS AND COMMISSIONS.--THE ADVISORY  
23 BOARDS AND COMMISSIONS, WITHIN THE SEVERAL ADMINISTRATIVE  
24 DEPARTMENTS, SHALL BE CONSTITUTED AS FOLLOWS:

25 \* \* \*

26 [(M) THE STATE PLANNING BOARD SHALL CONTINUE AS AN ADVISORY  
27 BOARD IN THE GOVERNOR'S OFFICE AND AS IT IS PRESENTLY  
28 CONSTITUTED AS PROVIDED IN REORGANIZATION PLAN NO.1 OF 1955,  
29 PRINTED AT 1955 (P.L.2045), EXCEPT THAT IN ADDITION TO THE OTHER  
30 MEMBERS THE SECRETARY OF AGRICULTURE AND THE SECRETARY OF

1 COMMUNITY AFFAIRS SHALL BE EX OFFICIO MEMBERS THEREOF.]

2 \* \* \*

3 [(O) THE STATE PLANNING BOARD SHALL CONTINUE AS AN ADVISORY  
4 BOARD IN THE GOVERNOR'S OFFICE AND AS IT IS PRESENTLY  
5 CONSTITUTED AS PROVIDED IN REORGANIZATION PLAN NO.1 OF 1955,  
6 PRINTED AT 1955 (P.L.2045), EXCEPT THAT IN ADDITION TO THE OTHER  
7 MEMBERS THE PRESIDENT PRO TEMPORE OF THE SENATE SHALL APPOINT  
8 TWO MEMBERS, NEITHER OF WHOM SHALL BE MEMBERS OF THE SAME  
9 POLITICAL PARTY, AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES  
10 SHALL APPOINT TWO MEMBERS, NEITHER OF WHOM SHALL BE MEMBERS OF  
11 THE SAME POLITICAL PARTY.]

12 \* \* \*

13 SECTION 3. SECTION 451 OF THE ACT IS AMENDED TO READ:

14 SECTION 451. STATE PLANNING BOARD.--[THE STATE PLANNING  
15 BOARD SHALL CONSIST OF THE SECRETARY OF COMMERCE, EX OFFICIO,  
16 WHO SHALL BE CHAIRMAN OF THE BOARD, AND FIFTEEN MEMBERS TO BE  
17 APPOINTED BY THE GOVERNOR FROM AMONG THE CITIZENS OF THE STATE,  
18 WHO DURING THEIR TERMS SHALL HOLD NO OTHER STATE OFFICE TO WHICH  
19 ANY SALARY IS ATTACHED. THE GOVERNOR MAY APPOINT AS ADDITIONAL  
20 MEMBERS OF THE BOARD, JUDGES, OFFICIALS OF STATE DEPARTMENTS,  
21 AGENCIES OR AUTHORITIES, OR MEMBERS OF THE GENERAL ASSEMBLY, FOR  
22 SUCH TERMS AS HE MAY DETERMINE, BUT NOT BEYOND THEIR TERM OF  
23 OFFICE IN SUCH OTHER STATE SERVICE. AT NO TIME SHALL THERE BE  
24 MORE THAN TEN SUCH OFFICIAL MEMBERS. EXCEPT AS HEREINAFTER  
25 PROVIDED, THE TERM OF OFFICE OF CITIZEN MEMBERS OF THE BOARD  
26 SHALL BE FIVE YEARS AND UNTIL THEIR SUCCESSORS ARE APPOINTED AND  
27 HAVE QUALIFIED. IN CASE OF A VACANCY, EXCEPT IN THE CASE OF THE  
28 SECRETARY OF COMMERCE, THE GOVERNOR SHALL MAKE AN APPOINTMENT  
29 FOR THE UNEXPIRED TERM. IN THE EVENT OF THE ENFORCED ABSENCE OR  
30 INABILITY OF THE SECRETARY OF COMMERCE TO ACT, HIS DULY

1 AUTHORIZED DEPUTY SHALL IN HIS STEAD BE TEMPORARY CHAIRMAN AND A  
2 MEMBER OF THE BOARD.

3 THE MEMBERS OF THE STATE PLANNING BOARD AND THE STATE BOARD  
4 OF HOUSING SERVING ON THE EFFECTIVE DATE OF THESE AMENDMENTS  
5 SHALL CONTINUE TO SERVE AS MEMBERS OF THE STATE PLANNING BOARD,  
6 AS HEREBY RECONSTITUTED, UNTIL THE EXPIRATION OF THE TERMS FOR  
7 WHICH THEY WERE LAST APPOINTED.

8 EIGHT MEMBERS OF THE BOARD SHALL CONSTITUTE A QUORUM.

9 THE MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION,  
10 BUT SHALL BE ENTITLED TO RECEIVE TRAVELING AND OTHER EXPENSES  
11 INCURRED IN THE DISCHARGE OF THEIR DUTIES.

12 THE BOARD MAY, WITH THE APPROVAL OF THE GOVERNOR, APPOINT AND  
13 FIX THE COMPENSATION OF AN EXECUTIVE DIRECTOR WHO SHALL ACT AS  
14 SECRETARY OF THE BOARD, AND WHO SHALL CONDUCT THE WORK OF THE  
15 BOARD UNDER ITS SUPERVISION. THE EXECUTIVE DIRECTOR SHALL HOLD  
16 NO OTHER POSITION IN THE SERVICE OF THE COMMONWEALTH, OR ANY  
17 POLITICAL SUBDIVISION THEREOF, AND SHALL BE TECHNICALLY  
18 QUALIFIED FOR THE DUTIES OF HIS OFFICE.] THE STATE PLANNING  
19 BOARD SHALL BE AN ADVISORY BOARD WITHIN THE GOVERNOR'S OFFICE  
20 WITH THE SAME STATUS UNDER THIS ACT AS THAT OF ADVISORY BOARDS.

21 (A) ORGANIZATION.--THE STATE PLANNING BOARD SHALL CONSIST OF  
22 FIFTEEN MEMBERS TO BE APPOINTED BY THE GOVERNOR FROM AMONG THE  
23 CITIZENS OF THE STATE, WHO DURING THEIR TERMS SHALL HOLD NO  
24 OTHER OFFICE IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT TO  
25 WHICH ANY SALARY IS ATTACHED. IN ADDITION TO THESE MEMBERS,  
26 THERE SHALL BE SIX EX OFFICIO MEMBERS, THE SECRETARY OF  
27 AGRICULTURE, THE SECRETARY OF COMMERCE, THE SECRETARY OF  
28 COMMUNITY AFFAIRS, THE SECRETARY OF ENVIRONMENTAL RESOURCES, THE  
29 SECRETARY OF PUBLIC WELFARE AND THE SECRETARY OF TRANSPORTATION.  
30 THERE SHALL ALSO BE TWO MEMBERS APPOINTED BY, AND SERVE AT THE

1 PLEASURE OF, THE PRESIDENT PRO TEMPORE OF THE SENATE, NEITHER OF  
2 WHOM SHALL BE MEMBERS OF THE SAME POLITICAL PARTY, AND TWO  
3 MEMBERS APPOINTED BY, AND SERVE AT THE PLEASURE OF, THE SPEAKER  
4 OF THE HOUSE OF REPRESENTATIVES, NEITHER OF WHOM SHALL BE  
5 MEMBERS OF THE SAME POLITICAL PARTY. THE TERMS OF OFFICE OF  
6 THOSE MEMBERS APPOINTED BY THE GOVERNOR SHALL BE FOR FOUR YEARS  
7 AND UNTIL THEIR SUCCESSORS ARE APPOINTED AND HAVE QUALIFIED. IN  
8 CASE OF A VACANCY, THE GOVERNOR SHALL MAKE AN APPOINTMENT FOR  
9 THE UNEXPIRED PORTION OF THE TERM. THE GOVERNOR SHALL DESIGNATE  
10 THE CHAIRMAN AND VICE-CHAIRMAN OF THE BOARD FROM AMONG THE  
11 MEMBERS OF THE BOARD, OTHER THAN THE EX OFFICIO AND LEGISLATIVE  
12 MEMBERS.

13 THIRTEEN MEMBERS OF THE BOARD SHALL CONSTITUTE A QUORUM.

14 THE MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION BUT  
15 SHALL BE ENTITLED TO RECEIVE TRAVELING AND OTHER REASONABLE  
16 EXPENSES INCURRED IN THE DISCHARGE OF THEIR DUTIES.

17 THE BOARD MAY, WITH THE APPROVAL OF THE GOVERNOR, APPOINT AND  
18 FIX THE COMPENSATION OF AN EXECUTIVE DIRECTOR WHO SHALL BE  
19 TECHNICALLY QUALIFIED FOR THE DUTIES OF THE OFFICE AND WHO SHALL  
20 ACT AS SECRETARY OF THE BOARD AND CONDUCT THE WORK OF THE BOARD  
21 UNDER ITS SUPERVISION.

22 (B) POWERS AND DUTIES.--THE BOARD SHALL HAVE THE FOLLOWING  
23 POWERS AND DUTIES:

24 (1) CONDUCT RESEARCH AND COLLECT, COMPILE AND ANALYZE DATA  
25 BEARING UPON SOCIAL, ECONOMIC, PHYSICAL, DEMOGRAPHIC AND OTHER  
26 FACTORS WHICH MAY INFLUENCE THE PRESENT AND FUTURE WELFARE OF  
27 THE COMMONWEALTH.

28 (2) MONITOR NATIONAL AND STATE TRENDS, IDENTIFY ISSUES OF  
29 POTENTIAL INTEREST AND CONCERN TO THE COMMONWEALTH AND PREPARE  
30 FOR THE GOVERNOR AND THE GENERAL ASSEMBLY ON AN ANNUAL BASIS, OR

1 MORE OFTEN IF NECESSARY, REPORTS DETAILING THE FINDINGS OF THE  
2 BOARD.

3 (3) DEVELOP STRATEGIC PLANS AND PROGRAMS TO PROMOTE AND  
4 ENHANCE THE WELFARE OF THE COMMONWEALTH AND MAKE SUCH  
5 RECOMMENDATIONS THEREON TO THE GOVERNOR AS IT MAY DEEM PROPER  
6 AND ADVISABLE.

7 (4) SOLICIT INFORMATION AND INPUT FROM STATE AND LOCAL  
8 GOVERNMENT OFFICIALS AND PRIVATE CITIZENS IN PENNSYLVANIA AS  
9 PART OF THE PROCESS OF DEVELOPING STRATEGIC PLANS AND PROGRAMS.

10 (5) SUBMIT ANNUALLY TO THE GOVERNOR, THE PRESIDENT PRO  
11 TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF  
12 REPRESENTATIVES A REPORT ON ITS PROGRAM AND ACTIVITIES.

13 Section ± 4. Section 613-A of the act of ~~April 9, 1929~~ <—  
14 ~~(P.L.177, No.175), known as The Administrative Code of 1929,~~  
15 added July 1, 1981 (P.L.143, No.48), is amended to read:

16 Section 613-A. Department of Labor and Industry.--The  
17 Department of Labor and Industry is authorized to charge fees  
18 for the following purposes and in the following amounts:

19 [(1) Fees for boilers:

20 (i) Certificate of operations:

21 (A) Unfired pressure vessels by in-  
22 surance inspectors, two-year fee. \$10.00

23 (B) Unfired pressure vessels by State  
24 inspectors..... 5.00

25 (C) All other boilers..... 5.00

26 (ii) For the internal inspection of power  
27 boilers, high pressure, high tempera-  
28 ture water boilers and miniature  
29 boilers, the fees shall be as follows:

30 (A) Boilers of 50 square feet of heat-

1	ing surface or less.....	7.50
2	(B) Boilers over 50 square feet of heat-	
3	ing surface and less than 4,000	
4	square feet of heating surface...	15.00
5	(C) Boilers over 4,000 square feet	
6	of heating surface or more and	
7	less than 10,000 square feet of	
8	heating surface.....	20.00
9	(D) Boilers over 10,000 square feet	
10	of heating surface or more.....	25.00
11	(E) Miniature boilers.....	5.00
12	(iii) For the external inspection of	
13	power boilers, high pressure and	
14	high temperature water boilers,	
15	the fees shall be as follows:	
16	(A) Boilers of 50 square feet of heat-	
17	ing surface or less.....	5.00
18	(B) Boilers over 50 square feet of	
19	heating surface.....	7.00
20	(C) Not more than \$32 plus the annual	
21	certificate fee shall be collected	
22	for any and all inspection above	
23	of any boiler in any one year.	
24	(iv) For the internal or external inspec-	
25	tion of low pressure boilers, the	
26	fees shall be as follows:	
27	(A) Heating boilers without a man-	
28	hole.....	7.00
29	(B) Heating boilers with a manhole...	12.00
30	(C) Hot water supply boilers.....	5.00

(D) Not more than \$24 plus the annual certificate fee shall be collected for any and all inspections as above of any low pressure boiler in any required inspection period.

(v) For the internal or external inspection of pressure vessels, the fees shall be as follows:

(A) Each pressure vessel subject to inspection having a cross sectional area of 50 square feet or less... 5.00

(B) Each additional 100 square feet of area in excess of 50 square feet. 5.00

(C) Not more than \$50 shall be paid for each inspection on any one vessel.

(D) A group of pressure vessels, such as the rolls of a paper machine for dryer operating as a single machine or unit, shall be considered one pressure vessel.

Not more than \$50 plus annual certificate fee shall be collected for any and all inspections as above of any pressure vessel in any required inspection period, except in such cases where the vessel is moved.

(vi) Approval of plans:



1	(A) Complete mechanical room draw-	
2	ings - boilers and other vessels.	25.00
3	(B) High pressure boilers.....	10.00
4	(C) Low pressure boilers.....	10.00
5	(D) Liquefied petroleum plot plans...	10.00
6	(vii) Boiler inspectors:	
7	(A) Inspector's examination fee.....	20.00
8	(B) Certificate of competency and	
9	commission fee.....	9.50
10	(C) New credential card fee (annual	
11	renewal).....	5.00
12	(viii) Hydrostatic test (witnessed).....	10.00
13	(2) Fees for elevators:	
14	(i) Inspector's examination fee.....	50.00
15	(ii) Commission fee and initial creden-	
16	tial card.....	35.00
17	(iii) Renewal credential card fee.....	20.00
18	(iv) Elevator plans approval application:	
19	(A) Passenger elevator.....	80.00
20	(B) Freight elevator.....	80.00
21	(C) Dumbwaiters.....	80.00
22	(v) Renovation plans:	
23	(A) All elevators.....	50.00
24	(vi) Elevator and all other certificate	
25	renewals.....	15.00
26	(vii) Elevator inspections:	
27	(A) Passenger per annum.....	140.00
28	(B) Freight per annum.....	70.00
29	(C) Dumbwaiters, ski lifts, hoists...	35.00
30	(D) Building hoists.....	35.00

1	(3) Fees for liquefied petroleum gas:	
2	(i) Bulk plants 30,000 gallons or less...	60.00
3	(ii) Bulk plants 30,001 - 90,000 gallons.	90.00
4	(iii) Bulk plants 90,001 or more gallons.	120.00
5	(iv) Industrial/utility users 2,001 -	
6	30,000 gallons.....	30.00
7	(v) Industrial/utility users 30,001 -	
8	180,000 gallons.....	60.00
9	(vi) Industrial/utility users 180,001 or	
10	more gallons.....	120.00
11	(vii) Dealers having less than 1,000	
12	customers.....	75.00
13	(viii) Dealers having 1,000 - 2,999	
14	customers.....	150.00
15	(ix) Dealers having 3,000 - 5,999	
16	customers.....	225.00
17	(x) Dealers having 6,000 or more customers	300.00
18	(4) Fees for building plans approval.....	actual cost
19		incurred in
20		examination]

21	<u>(1) Fees for unfired pressure vessels and boilers:</u>	
22	<u>(i) Certificate of operations:</u>	
23	<u>(A) Unfired pressure vessels.....</u>	<u>30.00</u>
24	<u>(B) Boilers.....</u>	<u>15.00</u>
25	<u>(ii) For the internal inspection of power</u>	
26	<u>boilers, high pressure, high tempera-</u>	
27	<u>ture water boilers and miniature</u>	
28	<u>boilers, the fees shall be as follows:</u>	
29	<u>(A) Boilers of 50 square feet of heat-</u>	
30	<u>ing surface or less.....</u>	<u>15.00</u>

1	(B) Boilers over 50 square feet of heat-	
2	ing surface and less than 4,000	
3	square feet of heating surface...	25.00
4	(C) Boilers over 4,000 square feet	
5	of heating surface or more and	
6	less than 10,000 square feet of	
7	heating surface.....	35.00
8	(D) Boilers over 10,000 square feet	
9	of heating surface or more.....	40.00
10	(E) Miniature boilers.....	10.00
11	(iii) For the external inspection of	
12	power boilers, high pressure and	
13	high temperature water boilers,	
14	the fees shall be as follows:	
15	(A) Boilers of 50 square feet of heat-	
16	ing surface or less.....	10.00
17	(B) Boilers over 50 square feet of	
18	heating surface.....	15.00
19	(C) Not more than \$50 plus the annual	
20	certificate fee shall be collected	
21	for any and all inspection above	
22	of any boiler in any one year.	
23	(iv) For the internal or external inspec-	
24	tion of low pressure boilers, the	
25	fees shall be as follows:	
26	(A) Heating boilers without a man-	
27	hole.....	12.50
28	(B) Heating boilers with a manhole...	15.00
29	(C) Hot water supply boilers.....	10.00
30	(D) Not more than \$50 plus the annual	

1                   certificate fee shall be collect-  
2                   ed for any and all inspections as  
3                   above of any low pressure boiler  
4                   in any required inspection per-  
5                   iod.

6           (v) For the internal or external inspection  
7           of pressure vessels, the fees shall be  
8           as follows:

9           (A) Each pressure vessel subject to in-  
10           spection having a cross sectional  
11           area of 50 square feet or less... 10.00

12           (B) Each additional 100 square feet of  
13           area in excess of 50 square feet. 10.00

14           (C) Not more than \$75 shall be paid  
15           for each inspection on any one  
16           vessel.

17           (D) A group of pressure vessels, such  
18           as the rolls of a paper machine  
19           for dryer operating as a single  
20           machine or unit, shall be con-  
21           sidered one pressure vessel.

22           Not more than \$75 plus annual  
23           certificate fee shall be col-  
24           lected for any and all inspec-  
25           tions as above of any pressure  
26           vessel in any required inspec-  
27           tion period, except in such  
28           cases where the vessel is moved.

29           (vi) Approval of plans:

30           (A) Complete mechanical room draw-

1	<u>ings - boilers and other vessels.</u>	50.00
2	<u>(B) High pressure boilers.....</u>	20.00
3	<u>(C) Low pressure boilers.....</u>	20.00
4	<u>(vii) Boiler inspectors:</u>	
5	<u>(A) Inspector's examination fee.....</u>	30.00
6	<u>(B) Certificate of competency and</u>	
7	<u>commission fee.....</u>	15.00
8	<u>(C) New credential card fee (annual</u>	
9	<u>renewal).....</u>	10.00
10	<u>(viii) Hydrostatic test (witnessed).....</u>	15.00
11	<u>(ix) Onsite consultation fee (per hour)..</u>	20.00
12	<u>(x) Inspection of repair fee.....</u>	10.00
13	<u>(xi) ASME shop survey fee.....</u>	
14	<u>Full day.....</u>	500.00
15	<u>Half day.....</u>	250.00
16	<u>(xii) Copy of department boiler</u>	
17	<u>regulations.....</u>	5.00
18	<u>(xiii) Acceptance of boilers and pressure</u>	
19	<u>vessels not originally destined for</u>	
20	<u>use within the Commonwealth.....</u>	500.00
21	<u>(2) Fees for elevators:</u>	
22	<u>(i) Inspector's examination fee.....</u>	50.00
23	<u>(ii) Commission fee and initial creden-</u>	
24	<u>tial card.....</u>	35.00
25	<u>(iii) Renewal credential card fee.....</u>	20.00
26	<u>(iv) Plans approval application:</u>	
27	<u>(A) Passenger, freight and combination</u>	
28	<u>passenger/freight elevators except</u>	
29	<u>hydraulic elevators:</u>	
30	<u>(1) 1-7 floors.....</u>	250.00

1	<u>(2) 8-20 floors.....</u>	<u>300.00</u>
2	<u>(3) More than 20 floors.....</u>	<u>350.00</u>
3	<u>(B) Hydraulic passenger, freight and</u>	
4	<u>combination passenger/freight</u>	
5	<u>elevators and other lifting</u>	
6	<u>devices.....</u>	<u>200.00</u>
7	<u>(C) Ski Lifts.....</u>	<u>350.00</u>
8	<u>(D) Escalators.....</u>	<u>200.00</u>
9	<u>(v) Major repairs.....</u>	<u>100.00</u>
10	<u>(vi) Certificate renewals.....</u>	<u>25.00</u>
11	<u>(vii) Elevator inspections:</u>	
12	<u>(A) Passenger, freight and combination</u>	
13	<u>passenger/freight elevators except</u>	
14	<u>hydraulic elevators:</u>	
15	<u>(1) 1-7 floors.....</u>	<u>65.00</u>
16	<u>(2) 8-20 floors.....</u>	<u>80.00</u>
17	<u>(3) More than 20 floors.....</u>	<u>100.00</u>
18	<u>(B) Hydraulic passenger, freight</u>	
19	<u>and combination passenger/</u>	
20	<u>freight elevators and other</u>	
21	<u>lifting devices.....</u>	<u>50.00</u>
22	<u>(C) Ski Lifts.....</u>	<u>100.00</u>
23	<u>(D) Escalators.....</u>	<u>65.00</u>
24	<u>(viii) Special approval.....</u>	<u>350.00</u>
25	<u>(ix) Reinspection following failed initial</u>	
26	<u>acceptance inspection.....</u>	<u>100.00</u>
27	<u>(x) Reinspection following</u>	
28	<u>failure to correct violations</u>	
29	<u>within allotted time period.....</u>	<u>50.00</u>
30	<u>(xi) Copy of Department Elevator</u>	

1	<u>Regulations.....</u>	<u>5.00</u>
2	<u>(xii) Duplicate certificate of</u>	
3	<u>operation.....</u>	<u>10.00</u>
4	<u>(3) Fees for liquefied petroleum gas:</u>	
5	<u>(i) Bulk plants 30,000 gallons or less...</u>	<u>90.00</u>
6	<u>(ii) Bulk plants 30,001 - 90,000 gallons.</u>	<u>135.00</u>
7	<u>(iii) Bulk plants 90,001 or more gallons.</u>	<u>180.00</u>
8	<u>(iv) Industrial/utility users 2,001 -</u>	
9	<u>30,000 gallons.....</u>	<u>45.00</u>
10	<u>(v) Industrial/utility users 30,001 -</u>	
11	<u>180,000 gallons.....</u>	<u>90.00</u>
12	<u>(vi) Industrial/utility users 180,001 or</u>	
13	<u>more gallons.....</u>	<u>180.00</u>
14	<u>(vii) Dealers having less than 1,000</u>	
15	<u>customers.....</u>	<u>112.50</u>
16	<u>(viii) Dealers having 1,000 - 2,999</u>	
17	<u>customers.....</u>	<u>235.00</u>
18	<u>(ix) Dealers having 3,000 - 5,999</u>	
19	<u>customers.....</u>	<u>337.50</u>
20	<u>(x) Dealers having 6,000 or more</u>	
21	<u>customers.....</u>	<u>450.00</u>
22	<u>(xi) LP Gas Plot Plan Fee.....</u>	<u>20.00</u>
23	<u>(xii) Copy of Department LP Gas</u>	
24	<u>Regulations.....</u>	<u>5.00</u>
25	<u>(4) Fees for building plans approval.....</u>	<u>actual cost</u>
26		<u>incurred in</u>
27		<u>examination</u>
28	<u>(5) Fees for dry cleaning and</u>	
29	<u>dyeing approval.....</u>	<u>75.00</u>
30	<u>(6) Fees for projectionist licensing</u>	

1	<u>Apprentice fee.....</u>	<u>5.00</u>
2	<u>Examination fee.....</u>	<u>5.00</u>
3	<u>Renewal fee.....</u>	<u>10.00</u>
4	<u>Projectionist license.....</u>	<u>7.50</u>
5	<u>Nontheatrical renewal.....</u>	<u>3.00</u>
6	<u>Apprentice renewal.....</u>	<u>2.00</u>
7	<u>(7) Fees for bedding and upholstery:</u>	
8	<u>(i) Sale of stamps.....</u>	<u>2 1/2 cents</u>
9	<u>(ii) Registration.....</u>	<u>10.00</u>
10	<u>(iii) Manufacturers license.....</u>	<u>50.00</u>
11	<u>(iv) Sterilization permit.....</u>	<u>25.00</u>
12	<u>(v) Sterilization renewal.....</u>	<u>10.00</u>
13	<u>(vi) Auctioneer permit.....</u>	<u>25.00</u>
14	<u>(vii) Auctioneer renewal.....</u>	<u>10.00</u>
15	<u>(viii) Quarterly reports.....</u>	<u>2 1/2 cents</u>
16	<u>(8) Fees for private employment</u>	
17	<u>agency licenses:</u>	
18	<u>(i) Agency licenses.....</u>	<u>300.00</u>
19	<u>(ii) Counselor licenses.....</u>	<u>50.00</u>
20	<u>(iii) Counselor license renewal.....</u>	<u>10.00</u>

21 SECTION 5. THE ACT IS AMENDED BY ADDING SECTIONS TO READ: <—

22 SECTION 1415. USE OF PENNSYLVANIA NATIONAL GUARD FOR SPECIAL  
23 STATE DUTY.--(A) THE GOVERNOR MAY PLACE, OR DELEGATE AUTHORITY  
24 TO THE ADJUTANT GENERAL TO ORDER, ANY VOLUNTEER MEMBER OF THE  
25 PENNSYLVANIA NATIONAL GUARD OR, WHEN UNAVAILABLE DUE TO CALL OR  
26 ORDER INTO THE SERVICE OF THE UNITED STATES, ANY MEMBER OF THE  
27 PENNSYLVANIA GUARD ON SPECIAL STATE DUTY TO RESPOND TO COMMUNITY  
28 NEEDS, SUPPORT COMMONWEALTH FUNCTIONS AND CEREMONIES,  
29 PARTICIPATE IN COURTS-MARTIAL AND BOARD FUNCTIONS, SUPPORT  
30 FEDERAL, STATE AND LOCAL DRUG ERADICATION AND INTERDICTION



1 OPERATIONS AND PERFORM OTHER NECESSARY MILITARY DUTIES TO THE  
2 EXTENT THAT FUNDS ARE APPROPRIATED AND AVAILABLE FOR SPECIAL  
3 STATE DUTY.

4 (B) WHENEVER MEMBERS OF THE PENNSYLVANIA NATIONAL GUARD OR  
5 PENNSYLVANIA GUARD ARE ORDERED TO SPECIAL STATE DUTY IN SUPPORT  
6 OF FEDERAL, STATE AND LOCAL DRUG OPERATIONS, THE GOVERNOR SHALL  
7 ANNUALLY, BY APRIL 1, SUBMIT A REPORT TO THE GENERAL ASSEMBLY  
8 SETTING FORTH THE TYPES OF DRUG OPERATIONS PERFORMED, THE NUMBER  
9 AND TYPES OF PERSONNEL INVOLVED, TYPES OF EQUIPMENT AND SYSTEMS  
10 UTILIZED, AND ANY PROBLEMS ENCOUNTERED IN MATTERS OF  
11 JURISDICTION, COMMAND AND CONTROL, HOSTILE ENCOUNTERS, AND  
12 OPERATION APPROVAL PROCEDURES. THE REPORT SHALL INCLUDE A  
13 BREAKDOWN OF SUPPORT PROVIDED IN THE NORMAL COURSE OF TRAINING  
14 AND SUPPORT SUBSTANTIALLY EQUIVALENT TO TRAINING.

15 (C) SPECIAL STATE DUTY SHALL NOT BE PROVIDED IF THE  
16 PROVISION OF SUCH SUPPORT WILL ADVERSELY AFFECT THE ABILITY OF  
17 THE PENNSYLVANIA NATIONAL GUARD OR PENNSYLVANIA GUARD TO PERFORM  
18 ITS PRIMARY MILITARY PREPAREDNESS MISSIONS.

19 (D) IN ADDITION TO THE POWERS AND DUTIES OF THE ADJUTANT  
20 GENERAL PURSUANT TO TITLE 51 OF THE PENNSYLVANIA CONSOLIDATED  
21 STATUTES (RELATING TO MILITARY), THE ADJUTANT GENERAL IS HEREBY  
22 AUTHORIZED AND DIRECTED TO ORDER MEMBERS OF THE PENNSYLVANIA  
23 NATIONAL GUARD TO SPECIAL STATE DUTY UNDER SUBSECTION (A).

24 (E) OFFICERS AND ENLISTED PERSONNEL ORDERED ON SPECIAL STATE  
25 DUTY FOR WHICH PAY IS AUTHORIZED UNDER THE ORDER PRESCRIBING THE  
26 PERFORMANCE THEREOF SHALL RECEIVE THE PAY AND ALLOWANCES OF  
27 THEIR RESPECTIVE GRADES DURING THE TIME THEY MAY CONTINUE UPON  
28 DUTY UNDER SUCH ORDER. THE PAY AUTHORIZED BY THIS SUBSECTION  
29 SHALL NOT BE LESS THAN \$45 PER DAY.

30 (F) "SPECIAL STATE DUTY" MEANS STATE MILITARY DUTY BY THE

1 PENNSYLVANIA MILITARY FORCES AS AUTHORIZED BY THIS SECTION. THE  
2 TERM DOES NOT INCLUDE ACTIVE STATE DUTY AUTHORIZED BY 51 PA.C.S.  
3 § 508 (RELATING TO ACTIVE STATE DUTY FOR EMERGENCY) OR DUTY  
4 AUTHORIZED AND FUNDED UNDER TITLE 10 OF THE UNITED STATES CODE  
5 (RELATING TO ARMED FORCES) AND TITLE 32 OF THE UNITED STATES  
6 CODE (RELATING TO NATIONAL GUARD).

7 SECTION 1416. SUPPLEMENTAL PAY FOR ENLISTED PERSONNEL  
8 PERFORMING FEDERALLY FUNDED DUTY.--WHENEVER ANY MEMBER OF THE  
9 PENNSYLVANIA NATIONAL GUARD IS ORDERED TO FEDERALLY FUNDED DUTY  
10 UNDER TITLE 32 OF THE UNITED STATES CODE (RELATING TO NATIONAL  
11 GUARD) FOR THE PURPOSE OF DRUG ERADICATION OR INTERDICTION  
12 WITHIN THIS COMMONWEALTH, THE ADJUTANT GENERAL SHALL BE  
13 AUTHORIZED, TO THE EXTENT THAT COMMONWEALTH FUNDS ARE  
14 APPROPRIATED AND AVAILABLE FOR SUCH PURPOSE, TO SUPPLEMENT THE  
15 FEDERAL PAY AND ALLOWANCES OF SUCH PERSONNEL SO THAT IT IS NOT  
16 LESS THAN \$45 PER DAY.

17 ~~SECTION 5~~ 6. SECTION 2002(A)(13) AND (15) OF THE ACT, <—  
18 AMENDED MARCH 13, 1974 (P.L.188, NO.34) AND DECEMBER 7, 1979  
19 (P.L.478, NO.100), ARE AMENDED TO READ:

20 SECTION 2002. POWERS AND DUTIES OF THE DEPARTMENT.--(A) THE  
21 DEPARTMENT OF TRANSPORTATION IN ACCORD WITH APPROPRIATIONS MADE  
22 BY THE GENERAL ASSEMBLY, AND GRANTS OF FUNDS FROM FEDERAL,  
23 STATE, REGIONAL, LOCAL OR PRIVATE AGENCIES, SHALL HAVE THE  
24 POWER, AND ITS DUTY SHALL BE:

25 \* \* \*

26 (13) TO PREPARE AND SUBMIT EVERY EVEN-NUMBERED YEAR PRIOR TO  
27 THE FIRST DAY OF SEPTEMBER, TO THE STATE TRANSPORTATION  
28 COMMISSION FOR ITS CONSIDERATION, A PROGRAM WHICH IT RECOMMENDS  
29 TO BE UNDERTAKEN BY THE DEPARTMENT OF TRANSPORTATION DURING THE  
30 TWELVE FISCAL YEARS NEXT ENSUING. EACH TWO YEARS THEREAFTER, THE

1 DEPARTMENT OF TRANSPORTATION, TAKING INTO CONSIDERATION THE  
2 RECOMMENDATIONS OF THE STATE TRANSPORTATION COMMISSION, AND  
3 OTHER RELEVANT INFORMATION, SHALL REVIEW, REVISE, ADJUST AND  
4 EXTEND ITS CONSTRUCTION PROGRAM FOR TWO YEARS. [THE PREPARATION  
5 AND CONSIDERATION OF THE PROGRAM SHALL BE COORDINATED WITH THE  
6 PREPARATION AND CONSIDERATION OF THE COMMONWEALTH'S CAPITAL  
7 PROGRAM BY THE STATE PLANNING BOARD.]

8 COPIES OF CONSTRUCTION PROGRAMS SHALL BE SUPPLIED TO THE  
9 MEMBERS OF THE GENERAL ASSEMBLY AND SHALL BE OPEN TO THE PUBLIC  
10 FOR INSPECTION AND SHALL BE MADE AVAILABLE TO INTERESTED  
11 PERSONS. THE PRIORITY OF IMPROVEMENT SHALL BE BASED UPON  
12 RELATIVE NEED AND SUFFICIENCY RATINGS MAINTAINED BY THE  
13 DEPARTMENT.

14 \* \* \*

15 (15) TO CONSULT WITH APPROPRIATE OFFICIALS AS DESIGNATED BY  
16 THE CHIEF ADMINISTRATIVE OFFICER OF THE DEPARTMENT OF  
17 AGRICULTURE, THE DEPARTMENT OF ENVIRONMENTAL RESOURCES, THE  
18 DEPARTMENT OF COMMUNITY AFFAIRS, THE DEPARTMENT OF HEALTH[,  
19 STATE PLANNING BOARD] AND THE FISH COMMISSION REGARDING THE  
20 ENVIRONMENTAL HAZARDS AND THE AGRICULTURAL, CONSERVATION,  
21 SANITARY, RECREATION AND SOCIAL CONSIDERATIONS THAT MAY ARISE BY  
22 REASON OF THE LOCATION, DESIGN, CONSTRUCTION OR RECONSTRUCTION  
23 OF ANY TRANSPORTATION OR AIR FACILITY.

24 NO HIGHWAY, TRANSIT LINE, HIGHWAY INTERCHANGE, AIRPORT, OR  
25 OTHER TRANSPORTATION CORRIDOR OR FACILITY, SHALL BE BUILT OR  
26 EXPANDED IN SUCH A WAY AS TO USE ANY LAND FROM ANY RECREATION  
27 AREA, WILDLIFE AND/OR WATERFOWL REFUGE, HISTORIC SITE, STATE  
28 FOREST LAND, STATE GAME LAND, WILDERNESS AREAS OR PUBLIC PARK  
29 UNLESS: (I) THERE IS NO FEASIBLE AND PRUDENT ALTERNATIVE TO THE  
30 USE OF SUCH LAND, AND (II) SUCH CORRIDOR OR FACILITY IS PLANNED

1 AND CONSTRUCTED SO AS TO MINIMIZE HARM TO SUCH RECREATION AREA,  
2 WILDLIFE AND/OR WATERFOWL REFUGE, HISTORIC SITE, STATE FOREST  
3 LAND, STATE GAME LAND, WILDERNESS AREA, OR PUBLIC PARK.

4 \* \* \*

5 SECTION ~~6~~ 7. SECTION 2409(X) OF THE ACT, AMENDED DECEMBER  
6 19, 1980 (P.L.1333, NO.244), IS AMENDED TO READ:

7 SECTION 2409. METHOD OF AWARDED CONTRACTS FOR STATIONERY,  
8 PAPER, FUEL, REPAIRS, FURNISHINGS, AND SUPPLIES.--\* \* \*

9 (X) IN THE EVENT THAT REQUISITIONS ARE MADE UPON THE  
10 DEPARTMENT FOR ANY ARTICLE OF FURNITURE, FURNISHING, STATIONERY,  
11 SUPPLIES, FUEL, OR ANY OTHER MATTER OR THING, THE WANT OF WHICH  
12 WAS NOT ANTICIPATED AT THE TIME OF THE MAKING OF THE SCHEDULES,  
13 THE DEPARTMENT MAY, IN ITS DISCRETION, INVITE PROPOSALS FROM AT  
14 LEAST [TWO] THREE RESPONSIBLE BIDDERS, UNLESS THE ARTICLE CAN BE  
15 PROCURED FROM ONLY ONE SOURCE, AND, WHEN ONE PROPOSAL SHALL BE  
16 INVITED, SUCH PROPOSAL OR PROPOSALS, TOGETHER WITH SUCH  
17 REQUISITION OR REQUISITIONS, SHALL BE SUBMITTED TO THE BOARD OF  
18 COMMISSIONERS OF PUBLIC GROUNDS AND BUILDINGS FOR APPROVAL OR  
19 DISAPPROVAL: PROVIDED, HOWEVER, THAT THE DEPARTMENT MAY, IN ITS  
20 DISCRETION, PURCHASE IN THE OPEN MARKET, WITHOUT INVITING ANY  
21 PROPOSAL, ANY SUCH ARTICLE COSTING LESS THAN [THREE HUNDRED  
22 DOLLARS] ONE THOUSAND FIVE HUNDRED DOLLARS, BUT ALL SUCH  
23 PURCHASES SHALL BE REPORTED TO THE BOARD OF COMMISSIONERS OF  
24 PUBLIC GROUNDS AND BUILDINGS AT ITS NEXT MEETING.

25 \* \* \*

26 SECTION ~~7~~ 8. SECTION 2502-B OF THE ACT IS REPEALED.

27 SECTION ~~8~~ 9. (A) THIS ACT, WITH RESPECT TO THE STATE  
28 PLANNING BOARD, SHALL CONSTITUTE THE LEGISLATION NECESSARY TO  
29 REESTABLISH THE BOARD UNDER THE ACT OF DECEMBER 22, 1981  
30 (P.L.508, NO.142), KNOWN AS THE SUNSET ACT.

(B) PERSONS WHO ARE MEMBERS OF THE STATE PLANNING BOARD, ON THE EFFECTIVE DATE OF THIS ACT, SHALL CONTINUE TO SERVE ON THE BOARD PROVIDED FOR IN THIS ACT UNTIL THEIR CURRENT TERMS EXPIRE AND UNTIL THEIR SUCCESSORS ARE DULY APPROVED AND QUALIFIED.

Section ~~2-9~~ 10. (A) The following acts and parts of acts are repealed insofar as they are inconsistent with the fees set forth in section 4 of this act:

Section 7 of the act of April 27, 1927 (P.L.465, No.299), referred to as the Fire and Panic Act.

Section 4.2 of the act of May 2, 1929 (P.L.1513, No.451), referred to as the Boiler Regulation Law.

Sections 6, 8 and 9 of the act of May 27, 1937 (P.L.926, No.249), referred to as the Bedding and Upholstery Law.

Section 10 of the act of July 31, 1941 (P.L.616, No.261), known as the Employment Agency Law.

Section 12 of the act of May 14, 1949 (P.L.1342, No.402), known as the Dry Cleaning and Dyeing Law.

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

(B) SECTION 7.1 OF THE ACT OF MAY 10, 1939 (P.L.111, NO.51), KNOWN AS THE COMMERCE LAW, IS REPEALED.

(C) REORGANIZATION PLAN NO. 1 OF 1955 (P.L.2045) IS ABROGATED.

SECTION ~~10~~ 11. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

(1) SECTIONS 4 (SECTION 613-A) AND ~~9(A)~~ 10(A) OF THIS ACT SHALL TAKE EFFECT IN 60 DAYS.

(2) SECTION 5 (SECTIONS 1415 AND 1416) SHALL TAKE EFFECT IMMEDIATELY.

~~(2)~~ (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT JULY 1, 1989.