

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1418 Session of
1975

INTRODUCED BY MESSRS. BENNETT, IRVIS, SHELTON, RIEGER, BUTERA,
MRS. CRAWFORD AND MR. HEPFORD, JUNE 10, 1975

SENATOR MESSINGER, APPROPRIATIONS, IN SENATE, RE-REPORTED AS
AMENDED, NOVEMBER 18, 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," further providing for the
21 membership of the State Board of Examiners of Public
22 Accountants AND PROVIDING FOR A STATE BOARD OF PHYSICAL
23 THERAPY EXAMINERS IN THE DEPARTMENT OF STATE. <—

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

26 SECTION 1. AS MUCH AS APPLIES TO THE DEPARTMENT OF STATE IN <—
27 SECTION 202, ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS

1 "THE ADMINISTRATIVE CODE OF 1929," REPEALED IN PART MARCH 1,
2 1974 (P.L.125, NO.31), IS AMENDED TO READ:

3 SECTION 202. DEPARTMENTAL ADMINISTRATIVE BOARDS,
4 COMMISSIONS, AND OFFICES.--THE FOLLOWING BOARDS, COMMISSIONS,
5 AND OFFICES ARE HEREBY PLACED AND MADE DEPARTMENTAL
6 ADMINISTRATIVE BOARDS, COMMISSIONS, OR OFFICES, AS THE CASE MAY
7 BE, IN THE RESPECTIVE ADMINISTRATIVE DEPARTMENTS MENTIONED IN
8 THE PRECEDING SECTION, AS FOLLOWS:

9 IN THE DEPARTMENT OF STATE,

10 COMMISSIONER OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS,
11 STATE REAL ESTATE COMMISSION,
12 STATE BOARD OF MEDICAL EDUCATION AND LICENSURE,
13 STATE BOARD OF PHYSICAL THERAPY EXAMINERS,
14 STATE BOARD OF PHARMACY,
15 STATE DENTAL COUNCIL AND EXAMINING BOARD,
16 STATE BOARD OF OPTOMETRICAL EXAMINERS,
17 STATE BOARD OF OSTEOPATHIC EXAMINERS,
18 STATE BOARD OF NURSE EXAMINERS,
19 STATE BOARD OF BARBER EXAMINERS,
20 STATE BOARD OF COSMETOLOGY,
21 STATE BOARD OF VETERINARY MEDICAL EXAMINERS,
22 STATE BOARD OF CHIROPRACTIC EXAMINERS,
23 STATE BOARD OF PODIATRY EXAMINERS,
24 STATE BOARD OF EXAMINERS OF PUBLIC ACCOUNTANTS,
25 STATE BOARD OF EXAMINERS OF ARCHITECTS,
26 STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS,
27 STATE BOARD OF FUNERAL DIRECTORS,
28 STATE BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS,
29 STATE BOARD OF AUCTIONEER EXAMINERS.

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1 ALL OF THE FOREGOING DEPARTMENTAL ADMINISTRATIVE BOARDS AND
2 COMMISSIONS SHALL BE ORGANIZED OR REORGANIZED AS PROVIDED IN
3 THIS ACT.

4 SECTION 2. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

5 SECTION 412.1. BOARD MEMBERSHIP; VACANCIES; EXPENSES;
6 MEETINGS.--(A) THERE IS HEREBY CREATED THE STATE BOARD OF
7 PHYSICAL THERAPY EXAMINERS TO ADMINISTER THE ACT OF OCTOBER 10,
8 1975 (NO.110), KNOWN AS THE "PHYSICAL THERAPY PRACTICE ACT."

9 (B) THE COMPOSITION OF THE BOARD SHALL BE FIVE MEMBERS, ALL
10 OF WHOM SHALL BE RESIDENTS OF PENNSYLVANIA. FOUR MEMBERS SHALL
11 BE PHYSICAL THERAPISTS LICENSED TO PRACTICE IN THE COMMONWEALTH,
12 EACH HAVING HAD AT LEAST FIVE YEARS OF EXPERIENCE AS A PHYSICAL
13 THERAPIST, THREE YEARS OF WHICH MUST HAVE IMMEDIATELY PRECEDED
14 THE APPOINTMENT TO THE BOARD. THE REMAINING MEMBER SHALL BE A
15 REPRESENTATIVE OF THE PUBLIC. THE MEMBERS OF THE BOARD SHALL BE
16 APPOINTED BY THE GOVERNOR. THE PENNSYLVANIA PHYSICAL THERAPY
17 ASSOCIATION SHALL SUBMIT A LIST OF NAMES TO THE GOVERNOR FOR HIS
18 CONSIDERATION IN MAKING APPOINTMENTS OR FILLING VACANCIES TO THE
19 BOARD WITH RESPECT TO THE PHYSICAL THERAPY MEMBERS. THE TERMS OF
20 THE MEMBERS OF THE BOARD SHALL BE THREE YEARS FROM THE
21 RESPECTIVE DATE OF THEIR APPOINTMENT AND NO MEMBER SHALL BE
22 APPOINTED FOR MORE THAN TWO CONSECUTIVE TERMS.

23 (C) EACH BOARD MEMBER SHALL RECEIVE ACTUAL TRAVELING, HOTEL,
24 FOOD AND OTHER NECESSARY EXPENSES INCURRED WHILE ENGAGED IN THE
25 DISCHARGE OF OFFICIAL DUTIES, AS WELL AS A PER DIEM ALLOWANCE OF
26 FIFTY DOLLARS (\$50).

27 (D) THERE SHALL BE FOUR STATED MEETINGS OF THE BOARD EACH
28 YEAR AT A PLACE WITHIN THE COMMONWEALTH AS DETERMINED BY THE
29 BOARD FOR THE TRANSACTION OF ITS BUSINESS, BUT THE BOARD MAY
30 HOLD SPECIAL MEETINGS, AT ITS DISCRETION AND BY VOTE OF THE

1 MAJORITY UPON DUE NOTICE THEREOF TO ALL MEMBERS OF THE BOARD.

2 (E) THREE MEMBERS OF THE BOARD SHALL CONSTITUTE A QUORUM.

3 Section ~~4~~ 3. Section 421, ~~act of April 9, 1929 (P.L.177,~~ <—
4 ~~No.175), known as "The Administrative Code of 1929;"~~ OF THE ACT, <—
5 amended May 2, 1949 (P.L.781, No.193), is amended to read:

6 Section 421. State Board of Examiners of Public
7 Accountants.--The State Board of Examiners of Public Accountants
8 shall consist of [the Superintendent of Public Instruction, and
9 five members, two of whom shall be appointed from the eastern
10 part of the State, two from the western part, and one from the
11 central part. Three of them shall be certified public
12 accountants, holding degrees of the same from the Commonwealth
13 of Pennsylvania. The other two shall be practicing attorneys, in
14 good standing in any of the courts of the Commonwealth.

15 The terms of the members of the board shall be four years
16 from the respective dates of their appointment.

17 Three members of the board shall constitute a quorum.

18 The board shall select, from among their number, a chairman,
19 and shall elect a secretary who need not be a member of the
20 board.

21 Each member of the board, other than the Superintendent of
22 Public Instruction, shall receive fifteen dollars per diem, when
23 actually engaged in the work of the board, and the secretary
24 shall receive such reasonable compensation as the board shall
25 determine, with the approval of the Superintendent of Public
26 Instruction.] eight members, one of whom shall be the
27 Commissioner of Professional and Occupational Affairs in the
28 Department of State and the seven remaining members shall be
29 appointed by the Governor as follows:

30 (1) six members shall be certified public accountants who

1 have held certificates of certified public accountant issued by
2 this Commonwealth for at least ten years immediately preceding
3 their appointment, all of whom are holders of live permits as
4 required under the act of May 26, 1947 (P.L.318, No.140), known
5 as "The C.P.A. Law," and four of whom have been actively engaged
6 in the practice of public accounting as their principal
7 occupation at the time of their appointment. Two members shall
8 be appointed from the eastern part of the State, two from the
9 western part, and two from the central part. No member of the
10 board shall be a teacher or instructor in any coaching school
11 which has as its primary purpose preparation for the examination
12 under "The C.P.A. Law," or any person who has a financial
13 interest in such coaching school. The Governor may appoint
14 members to the board from a list of qualified persons submitted
15 to him by the Council of the Pennsylvania Institute of Certified
16 Public Accountants; and

17 (2) one member shall be a person representing the public at
18 large. Such public member shall not be affiliated in any manner
19 with the profession and shall not hold public office during the
20 term of membership on the board.

21 The terms of the members of the board shall be four years
22 from the respective dates of their appointment. No board member
23 shall serve more than two consecutive four-year terms and shall
24 not be eligible for reappointment until after four years have
25 elapsed.

26 Five members of the board shall constitute a quorum. The
27 board shall select, from among their number, a chairman, and
28 shall elect a secretary who need not be a member of the board.

29 Section 2 4. All acts and parts of acts are hereby repealed <—
30 in so far as they are inconsistent herewith.

1 Section 3 5. This act shall take effect immediately.

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