

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2145 Session of
1993

INTRODUCED BY GEORGE, REBER, SURRA, MIHALICH, JAROLIN, LAUGHLIN,
FEE, ARGALL, PETRARCA, HALUSKA, CAPPABIANCA, VEON, STISH,
PESCI, KING, HANNA, S. H. SMITH, STAIRS AND COLAIZZO,
OCTOBER 7, 1993

REFERRED TO COMMITTEE ON CONSERVATION, OCTOBER 7, 1993

AN ACT

1 Transferring the administration of certain statutes from the
2 Department of Environmental Resources to the Department of
3 Commerce, Department of Health and Department of Labor and
4 Industry.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Transfer of certain functions of Department of
8 Environmental Resources.

9 (a) Bureau of State Parks and Bureau of Forestry.--The
10 functions, powers and duties of the Bureau of State Parks and
11 the Bureau of Forestry as provided by law are hereby transferred
12 to the Department of Commerce.

13 (b) Department of Health.--The administration of the
14 following by the Department of Environmental Resources is hereby
15 transferred to the Department of Health:

16 (1) The control of nuisances from grounds, vehicles,
17 apartments, buildings and places within this Commonwealth;
18 the sanitary condition of tenements, lodging and boarding

1 houses; the management of the sanitary affairs of the
2 Commonwealth; the issuance of waterworks permits and the
3 control of water pollution.

4 (2) The Sanitary Water Board.

5 (3) The act of June 23, 1931 (P.L.899, No.299), known as
6 the Public Bathing Law.

7 (4) The act of May 23, 1945 (P.L.926, No.369), referred
8 to as the Public Eating and Drinking Place Law.

9 (5) The act of August 20, 1953 (P.L.1217, No.339),
10 entitled "An act providing for payments by the Commonwealth
11 to municipalities which have expended money to acquire and
12 construct sewage treatment plants in accordance with the
13 Clean Streams Program and the act, approved the twenty-second
14 day of June, one thousand nine hundred thirty-seven (Pamphlet
15 Laws 1987), and making an appropriation."

16 (6) The act of November 10, 1959 (P.L.1400, No.497),
17 entitled "An act providing for the annual registration of
18 organized camps for children, youth and adults; defining the
19 duties of the Department of Health of the Commonwealth of
20 Pennsylvania; and prescribing penalties."

21 (7) The act of January 24, 1966 (1965 P.L.1535, No.537),
22 known as the Pennsylvania Sewage Facilities Act.

23 (8) The act of November 18, 1968 (P.L.1052, No.322),
24 known as the Sewage Treatment Plant and Waterworks Operators'
25 Certification Act.

26 (9) As much of the act of June 23, 1978 (P.L.537,
27 No.93), known as the Seasonal Farm Labor Act, as relates to
28 the Department of Environmental Resources.

29 (10) The act of May 1, 1984 (P.L.206, No.43), known as
30 the Pennsylvania Safe Drinking Water Act.

1 (c) Explosives Manufacture, Storage and Possession Law.--The
2 functions, powers and duties of the Department of Environmental
3 Resources with regard to the storage and possession of
4 explosives, as set forth in the act of July 1, 1937 (P.L.2681,
5 No.537), referred to as the Explosives Manufacture, Storage and
6 Possession Law, are hereby transferred to the Department of
7 Labor and Industry.

8 (d) Explosives Use Regulation Law.--All the functions,
9 powers and duties of the Department of Environmental Resources
10 as set forth in the act of July 10, 1957 (P.L.685, No.362),
11 referred to as the Explosives Use Regulation Law, are hereby
12 transferred to the Department of Labor and Industry.

13 (e) Storage Tank and Spill Prevention Act.--The functions,
14 powers and duties of the Department of Environmental Resources
15 with regard to the regulation of storage tanks and tank
16 facilities as set forth in the act of July 6, 1989 (P.L.169,
17 No.32), known as the Storage Tank and Spill Prevention Act, are
18 hereby transferred to the Department of Labor and Industry.

19 Section 2. Transfer of personnel, records, property and
20 appropriations.

21 (a) Records, property and appropriations.--There are hereby
22 transferred to the Department of Commerce, Department of Health
23 and Department of Labor and Industry to be used, employed and
24 expended in connection with the functions, powers and duties
25 transferred by section 1 of this reorganization plan, personnel,
26 contract obligations, if any, records, files, property, supplies
27 and equipment now being used or held in connection with such
28 functions, powers and duties, and the unexpended balance of
29 appropriations, allocations and other funds available or to be
30 made available for use in connection with such functions, powers

1 and duties.

2 (b) Personnel.--All personnel transferred pursuant to this
3 act shall retain any civil service employment status held by the
4 personnel.

5 Section 3. Repeals.

6 (a) Inconsistent.--The following acts and parts of acts are
7 repealed insofar as they are inconsistent with this act:

8 Act of April 9, 1929 (P.L.177, No.175), known as The
9 Administrative Code of 1929, in particular section 1901-A(6),
10 (8), (9), (11), (12), (13), (14), (21) and (22).

11 Act of July 1, 1937 (P.L.2681, No.537), referred to as the
12 Explosives Manufacture, Storage and Possession Law.

13 Act of July 10, 1957 (P.L.685, No.362), referred to as the
14 Explosives Use Regulation Law.

15 Act of July 6, 1989 (P.L.169, No.32), known as the Storage
16 Tank and Spill Prevention Act.

17 (b) General.--All other acts and parts of acts are repealed
18 insofar as they are inconsistent with this act.

19 Section 4. Effective date.

20 This act shall take effect January 1, 1994.