

AN ACT

1 Establishing the Independent Office of the Repealer.

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

4 Section 1. Short title.

5 This act shall be known and may be cited as the Independent
6 Office of the Repealer Act.

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall
9 have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "Committee." The Selection and Organization Committee in the
12 office.

13 "Director." The director of the office.

14 "Office." The Independent Office of the Repealer.

15 Section 3. Establishment.

16 There is established a nonpartisan Independent Office of the
17 Repealer. The office shall be an independent agency.

1 Section 4. Powers and duties of the office.

2 The office shall have the following powers and duties:

3 (1) Adopt logical, quantitative and qualitative rules to
4 determine whether an existing statute or regulation of the
5 Commonwealth is:

6 (i) Unreasonable, unduly burdensome, detrimental to
7 economic well-being, duplicative, onerous, defective or
8 in conflict with another statute or regulation.

9 (ii) Defying a common sense approach to government.

10 (2) Perform a systemic review of existing statutes and
11 regulations of this Commonwealth in accordance with the rules
12 adopted for review under this act.

13 (3) Identify existing statutes and regulations which may
14 be appropriate for legislative and executive agency
15 modification, revision or repeal.

16 (4) Establish as soon as practical a system with a
17 publicly accessible Internet website that allows the office
18 to:

19 (i) Receive suggestions and comments, along with
20 supporting documentation, for modification, revision or
21 repeal from citizens, businesses, government agencies or
22 others.

23 (ii) Receive reports on allegations of wasteful
24 governmental practices.

25 (5) Determine and implement internal policies, standards
26 and procedures as may be necessary for the orderly and
27 efficient execution of the mission of the office.

28 (6) Implement a tracking system to follow all
29 submissions and actions taken on a recommendation made by the
30 director which includes progress of modification, revision or

1 repeal.

2 (7) Report annually to the General Assembly and the
3 Governor on:

4 (i) Recommended changes to statutes and regulations.

5 (ii) Recommended changes to increase efficiency and
6 eliminate wasteful practices.

7 (iii) Progress of the modification, revision or
8 repeal of statutes and regulations.

9 Section 5. Membership and appointments.

10 (a) Committee.--The Selection and Organization Committee
11 established in the office shall:

12 (1) Consist of the following members:

13 (i) One member appointed by the Governor.

14 (ii) One member appointed by the President pro
15 tempore of the Senate in consultation with the Majority
16 Leader and the Minority Leader of the Senate.

17 (iii) One member appointed by the Speaker of the
18 House of Representatives in consultation with the
19 Majority Leader and the Minority Leader of the House of
20 Representatives.

21 (2) Select the director of the office in accordance with
22 the following:

23 (i) The committee shall publish qualifications of
24 the director in the Pennsylvania Code and Bulletin within
25 90 days of the first meeting of the committee.

26 (ii) The appointment may not be made on the basis of
27 political affiliation.

28 (iii) The appointment shall be made on the basis of
29 the fitness to perform the duties of the office based on
30 the published qualification.

1 (b) Director.--The director shall serve in accordance with
2 the following:

3 (1) The director shall serve for a term of six years.

4 (2) An individual appointed as director to fill a
5 vacancy prior to the expiration of a term shall only serve
6 for the unexpired portion of the term.

7 (3) An individual serving as the director at the
8 expiration of a term may continue to serve as the director
9 until a successor is appointed.

10 (c) Deputy director.--The director shall appoint a deputy
11 director who shall have the following duties:

12 (1) Perform assigned duties from the director.

13 (2) During an absence or incapacity of the director,
14 assume the role of the director.

15 (d) Removal.--The director may be removed by a concurrent
16 resolution passed by the Senate and the House of
17 Representatives.

18 Section 6. Director.

19 The director shall have the following powers and duties:

20 (1) The authority to:

21 (i) Determine and implement internal policies,
22 standards and protocol to orderly and efficiently carry
23 out the mission of the office under this act.

24 (ii) Procure the temporary or intermittent service
25 of attorneys, experts, consultants or organizations by
26 contract.

27 (2) Hire and fix compensation in accordance with the
28 following:

29 (i) The hiring and appointments shall be made on the
30 basis of the duties of the office and the performance of

1 the functions of the office.

2 (ii) All personnel shall be hired or appointed
3 without regard to political affiliation.

4 (iii) Hiring and appointments shall be based on
5 fitness to perform the necessary duties.

6 Section 7. Notice.

7 (a) Transmittal of notice.--When the office determines that
8 a statute or regulation meets the standards set under this act
9 and as set by the director for modification, revision or repeal,
10 the director shall recommend the action to:

11 (1) The General Assembly if a statute needs to be
12 modified, revised or repealed.

13 (2) The State department or agency which created the
14 regulation that needs to be modified, revised or repealed.

15 (b) Details.--A recommendation from the office shall provide
16 specific details why the office is recommending that the statute
17 or regulation needs to be modified, revised or repealed.

18 Section 8. Records.

19 The office shall be a legislative agency for the purpose of
20 the act of February 14, 2008 (P.L.6, No.3), known as the Right-
21 to-Know Law.

22 Section 9. Effective date.

23 This act shall take effect in 60 days.

