

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1433 Session of
1975

INTRODUCED BY RHODES, KNEPPER, MANDERINO, TADDONIO AND PERRY,
JUNE 10, 1975

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 11, 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
21 appointments.

22 The General Assembly of the Commonwealth of Pennsylvania
23 hereby enacts as follows:

24 Section 1. Section 207, act of April 9, 1929 (P.L.177,
25 No.175), known as the "Administrative Code of 1929," amended
26 February 18, 1949 (P.L.16, No.5), August 24, 1951 (P.L.1340,
27 No.322) and December 3, 1970 (P.L.834, No.275), is amended to

1 read:

2 Section 207. Appointment.--(A) The Governor shall nominate
3 and, by and with the advice and consent of [two-thirds of all] a
4 majority of the members [of] elected to the Senate, appoint:

5 (a) The Secretary of the Commonwealth, the Attorney General,
6 the [Superintendent of Public Instruction] Secretary of
7 Education, the Adjutant General, the Insurance Commissioner, the
8 Secretary of Banking, the Secretary of Agriculture, the
9 Secretary of Transportation, the Secretary of Health, the
10 Commissioner of the Pennsylvania State Police, the Secretary of
11 Labor and Industry, the Secretary of Public Welfare, the
12 Secretary of Property and Supplies, the Secretary of Revenue,
13 the Secretary of Commerce, the Secretary of Community Affairs,
14 the Secretary of Environmental Resources, and the members of all
15 independent administrative boards and commissions.

16 The Adjutant General may have the rank of Major General of
17 the Adjutant General's Department in the Pennsylvania National
18 Guard, or Pennsylvania Guard, or the Governor may designate the
19 ranking line officer of the Pennsylvania National Guard, or
20 Pennsylvania Guard, or an officer of the Regular Army, United
21 States Navy, United States Coast Guard, or United States Marine
22 Corps, as Adjutant General: Provided, That should the ranking
23 line officer be also appointed Adjutant General, he shall
24 receive only the salary provided by law for the Adjutant
25 General: And provided further, That should the ranking line
26 officer be called into the service of the United States, a
27 Deputy Adjutant General, to be designated by the Governor, shall
28 act as Adjutant General during his absence. No Adjutant General
29 shall be appointed who shall not have served at least ten years
30 as a commissioned officer in the Pennsylvania National Guard,

1 Pennsylvania Guard, or equivalent length of service in the
2 Regular Army of the United States, United States Navy, United
3 States Coast Guard, or United States Marine Corps, or Officers
4 Reserve Corps of the United States Army, United States Naval
5 Reserve, United States Coast Guard Reserve, or United States
6 Marine Corps Reserve, which service may be cumulative, that is,
7 service in any one or more of the foregoing services may be
8 added together.

9 The Secretary of Health shall be a doctor of medicine
10 licensed to practice medicine in Pennsylvania or eligible to be
11 so licensed.

12 (b) Except as in this act otherwise provided, the members of
13 all departmental administrative bodies, boards, and commissions,
14 and the officers who shall fill the departmental administrative
15 offices mentioned in this article.

16 (c) Except as in this act otherwise provided, the members of
17 all advisory boards and commissions.

18 (d) Justices of the peace to fill a vacancy in the office.

19 (B) The Governor shall nominate and, by and with the advice
20 and consent of two-thirds of the members elected to the Senate,
21 appoint judges and justices to fill vacancies in the offices of
22 judge or justice.

23 Section 2. All acts and parts of acts are repealed in so far
24 as they are inconsistent herewith.

25 Section 3. This act shall take effect immediately.