

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2053 Session of
1976

INTRODUCED BY ECKENSBERGER, DOYLE, ZORD, ZELLER, TAYLOR, LEHR,
PITTS, CIMINI, PRATT, REED, GIAMMARCO, BRANDT, CUMBERLAND,
POLITE, BUTERA, O'CONNELL, DiCARLO AND DAVIS,
JANUARY 14, 1976

REFERRED TO COMMITTEE ON LAW AND JUSTICE, JANUARY 14, 1976

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 powers and duties of the Attorney General and the Department
22 of Justice; creating and providing for the powers and duties
23 of the Solicitor General and the Department of the Solicitor
24 General; providing for legal counsel to the Governor; and
25 making certain repeals.

26 The General Assembly of the Commonwealth of Pennsylvania
27 hereby enacts as follows:

28 Section 1. Section 201, act of April 9, 1929 (P.L.177,

1 No.175), known as "The Administrative Code of 1929," amended
2 July 22, 1975 (No.45), is amended to read:

3 Section 201. Executive Officers, Administrative Departments
4 and Independent Administrative Boards and Commissions.--The
5 executive and administrative work of this Commonwealth shall be
6 performed by the Executive Department, consisting of the
7 Governor, Lieutenant Governor, Secretary of the Commonwealth,
8 Attorney General, Solicitor General, Auditor General, State
9 Treasurer, and Secretary of Education; by the Executive Board,
10 and the Pennsylvania State Police; by the following
11 administrative departments: Department of State, Department of
12 Justice, Department of the Solicitor General, Department of the
13 Auditor General, Treasury Department, Department of Education,
14 Department of Military Affairs, Insurance Department, Department
15 of Banking, Department of Agriculture, Department of
16 Transportation, Department of Health, Department of Labor and
17 Industry, Department of Public Welfare, Department of General
18 Services, Department of Revenue, Department of Commerce,
19 Department of Community Affairs and Department of Environmental
20 Resources; and by the following independent administrative
21 boards and commissions: Pennsylvania Game Commission,
22 Pennsylvania Fish Commission, State Civil Service Commission,
23 Pennsylvania Public Utility Commission, and the Pennsylvania
24 Historical and Museum Commission.

25 All of the provisions of this act, which apply generally to
26 administrative departments, or generally except to the
27 Department of the Auditor General, Department of Justice and the
28 Treasury Department, shall apply to the Executive Board and to
29 the Pennsylvania State Police.

30 Section 2. As much as applies to the Department of Justice

1 of section 202 of the act, amended July 31, 1968 (P.L.754,
2 No.235) and as much as applies to the Department of Solicitor
3 General of section 202, are amended or added to read:

4 Section 202. Departmental Administrative Boards, Commissions
5 and Offices.--The following boards, commissions, and offices are
6 hereby placed and made departmental administrative boards,
7 commissions or offices, as the case may be, in the respective
8 administrative departments mentioned in the preceding section,
9 as follows:

10 * * *

11 In the Department of Justice,
12 [Board of Pardons,
13 Board of Commissioners on Uniform State
14 Laws,]
15 Pennsylvania Crime Commission,
16 [Board of Trustees of State Correctional
17 Institution at Philadelphia,
18 Board of Trustees of State Correctional
19 Institution at Pittsburgh,
20 Board of Trustees of State Correctional
21 Institution at Rockview,
22 Board of Trustees of State Correctional
23 Institution at Graterford,
24 Board of Trustees of State Correctional
25 Institution at Huntingdon,
26 Board of Trustees of State Correctional
27 Institution at Camp Hill,
28 Board of Trustees of State Correctional
29 Institution at Muncy.]

30 In the Department of the Solicitor General

1 Board of Pardons,
2 Board of Commissioners on Uniform State
3 Laws,
4 Juvenile Court Judges Commission,
5 Board of Trustees of State Correctional
6 Institution at Philadelphia,
7 Board of Trustees of State Correctional
8 Institution at Pittsburgh,
9 Board of Trustees of State Correctional
10 Institution at Rockview,
11 Board of Trustees of State Correctional
12 Institution at Graterford,
13 Board of Trustees of State Correctional
14 Institution at Huntingdon,
15 Board of Trustees of State Correctional
16 Institution at Camp Hill,
17 Board of Trustees of State Correctional
18 Institution at Muncy,
19 Board of Trustees of State Penitentiary
20 at Rockview,
21 Board of Trustees of State Penitentiary
22 at Graterford,
23 Board of Trustees at State Penitentiary
24 at Huntingdon.

25 * * *

26 All of the foregoing departmental administrative boards and
27 commissions shall be organized or reorganized as provided in
28 this act.

29 Section 3. Section 206 and clause (a) of section 207 of the
30 act, amended July 22, 1975 (No.45), section 207 repealed in part

1 August 1, 1975 (No.92), are amended to read:

2 Section 206. Department Heads.--Each administrative
3 department shall have as its head an officer who shall, either
4 personally, by deputy, or by the duly authorized agent or
5 employe of the department, and subject at all times to the
6 provisions of this act, exercise the powers and perform the
7 duties by law vested in and imposed upon the department.

8 The following officers shall be the heads of the
9 administrative departments following their respective titles:

10 Secretary of the Commonwealth, of the Department of State;
11 Attorney General, of the Department of Justice;
12 Solicitor General, of the Department of the Solicitor
13 General;
14 Auditor General, of the Department of the Auditor General;
15 State Treasurer, of the Treasury Department;
16 Secretary of Education, of the Department of Education;
17 Adjutant General, of the Department of Military Affairs;
18 Insurance Commissioner, of the Insurance Department;
19 Secretary of Banking, of the Department of Banking;
20 Secretary of Agriculture, of the Department of Agriculture;
21 Secretary of Transportation, of the Department of
22 Transportation;
23 Secretary of Health, of the Department of Health;
24 Secretary of Labor and Industry, of the Department of
25 Labor and Industry;
26 Secretary of Public Welfare, of the Department of Public
27 Welfare;
28 Secretary of Revenue, of the Department of Revenue;
29 Secretary of Commerce, of the Department of Commerce;
30 Secretary of Community Affairs, of the Department of

Community Affairs;

Secretary of Environmental Resources, of the Department
of Environmental Resources;

Secretary of General Services, of the Department of
General Services.

Section 207. Appointment.--The Governor shall nominate and,
by and with the advice and consent of two-thirds of all the
members of the Senate, appoint:

(a) The Secretary of the Commonwealth, the [Attorney]
Solicitor General, the Secretary of Education, the Adjutant
General, the Insurance Commissioner, the Secretary of Banking,
the Secretary of Agriculture, the Secretary of Transportation,
the Secretary of Health, the Commissioner of the Pennsylvania
State Police, the Secretary of Labor and Industry, the Secretary
of Public Welfare, the Secretary of Revenue, the Secretary of
Commerce, the Secretary of Community Affairs, the Secretary of
Environmental Resources, the Secretary of General Services and
the members of all independent administrative boards and
commissions.

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

* * *

Section 4. Clause (a) of section 208 of the act, amended
April 18, 1943 (P.L.94, No.52), is amended to read:

Section 208. Terms of Office.--The terms of office of the
persons appointed by the Governor under the preceding section
shall be as follows:

(a) The Secretary of the Commonwealth and the [Attorney]
Solicitor General shall serve during the pleasure of the

1 Governor.

2 * * *

3 Section 5. Section 211 of the act is amended to read:

4 Section 211. Employees of the Governor's Office.--The
5 Governor shall appoint, to serve at his pleasure, a Secretary to
6 the Governor, a Budget Secretary, a chief counsel and such
7 consultants, experts, accountants, investigators, clerks,
8 stenographers, messengers, watchmen, and other employes, as may
9 be required for the proper conduct of the work of his office,
10 and of the Executive Board, and shall fix their salaries, wages,
11 fees, or other compensation.

12 Section 6. Section 212 and the first paragraph of section
13 213 of the act, amended December 18, 1968 (P.L.1232, No.390) are
14 amended to read:

15 Section 212. Bureaus and Divisions.--The heads of the
16 several administrative departments, except the Auditor General,
17 Attorney General, and the State Treasurer and the several
18 independent administrative boards and commissions shall, subject
19 to the approval of the Executive Board, establish such bureaus
20 or divisions in their respective departments, boards, or
21 commissions, as may be required for the proper conduct of the
22 work of such departments, boards or commissions.

23 Section 213. Deputies.--The head of any administrative
24 department, except the Auditor General, Attorney General, and
25 the State Treasurer shall have the power, with the approval of
26 the Governor, to appoint and fix the compensation of a deputy,
27 or such number of deputies as the Executive Board shall approve,
28 who shall, in the absence of the head of such department, have
29 the right to exercise all the powers and perform all the duties
30 by law vested in and imposed upon the head of such department,

1 except the power to appoint deputies, bureau or division chiefs,
2 or other assistants or employes, and who may, at any time,
3 exercise such of the powers and perform such of the duties of
4 the head of his department as may be prescribed by the head of
5 his department: Provided, however, That any such deputy shall
6 not have the right to exercise any power or perform any duty
7 which the Constitution of the Commonwealth of Pennsylvania
8 requires the head of his department personally to exercise or
9 perform.

10 * * *

11 Section 7. The first and second paragraphs of section 214 of
12 the act, amended December 18, 1968 (P.L.1232, No.390) are
13 amended to read:

14 Section 214. Employment and Compensation of Directors,
15 Bureau Chiefs, and Other Employes.--Except as otherwise provided
16 in this section and in the Civil Service Act, the heads of the
17 several administrative departments, except the Auditor General,
18 Attorney General, and the State Treasurer, and the independent
19 administrative boards and commissions, shall appoint and fix the
20 compensation of such directors, superintendents, bureau or
21 division chiefs, assistant directors, assistant superintendents,
22 assistant chiefs, experts, scientists, engineers, surveyors,
23 draftsmen, accountants, secretaries, auditors, inspectors,
24 examiners, statisticians, marshals, clerks, stenographers,
25 bookkeepers, messengers, and other assistants and employes as
26 may be required for the proper conduct of the work of their
27 respective departments, boards, or commissions. Except as
28 otherwise provided in this act, the heads of the respective
29 administrative departments shall appoint and fix the
30 compensation of such clerks, stenographers, and other

1 assistants, as may be required for the proper conduct of the
2 work of any departmental administrative bodies, boards,
3 commissions, or officers, and of any advisory boards or
4 commissions established in their respective departments.

5 The Governor shall have the power and authority to appoint
6 and fix the compensation of a comptroller in each administrative
7 department, except the Department of the Auditor General,
8 Department of Justice, and the Treasury Department, and in each
9 independent administrative board and commission, together with
10 all accountants, auditors, clerks, stenographers, bookkeepers,
11 and other assistants and employes, as may be required for the
12 proper conduct of the work of the comptroller in such
13 department, board or commission. All comptrollers and other
14 related employes so appointed shall succeed to the functions and
15 duties of the respective comptrollers and related employes
16 theretofore appointed by the heads of such departments, boards
17 and commissions, and shall be under and subject to the direct
18 regulation, supervision and control of the Governor or such
19 employe in his office as he may designate for that purpose. The
20 compensation of all comptrollers and other related employes
21 shall be paid out of appropriations made to the respective
22 departments, boards or commissions in which they exercise their
23 functions and duties.

24 * * *

25 Section 8. Section 219 of the act, amended June 3, 1933
26 (P.L.1470, No.320), is amended to read:

27 Section 219. Fidelity Bonds.--Before entering upon the
28 duties of their respective offices or positions, bonds,
29 conditioned for the faithful performance of their respective
30 duties, in such penal sums as shall be fixed by the Executive

1 Board, upon recommendation of the Governor, shall be executed
2 and filed with the State Treasurer by all heads of
3 administrative departments, but the amount of the bond shall not
4 be less than five thousand dollars (\$5,000).

5 Similar bonds, in such penal sums as shall be fixed by the
6 Executive Board, shall be executed and filed with the State
7 Treasurer by--

8 (a) Such members of independent administrative boards or
9 commissions as the Executive Board shall require;

10 (b) Such members of departmental administrative boards or
11 commissions as the heads of the departments with which such
12 boards or commissions are respectively connected shall, with the
13 approval of the Executive Board, prescribe;

14 (c) Such officers and employees of administrative
15 departments, or of independent administrative boards or
16 commissions, as the heads of such departments or such boards or
17 commissions shall, with the approval of the Executive Board,
18 prescribe;

19 (d) Such officers and employees of departmental
20 administrative boards or commissions as the departments with
21 which such boards or commissions are connected shall, with the
22 approval of the Executive Board, prescribe.

23 All bonds required to be given under this section shall,
24 before being accepted by the State Treasurer, be approved by the
25 Department of [Justice] the Solicitor General, and, unless the
26 Commonwealth shall establish its own indemnity fund, all such
27 bonds shall be given with security approved by the Department of
28 [Justice] the Solicitor General. If the Commonwealth shall
29 establish its own indemnity fund, the Executive Board may,
30 nevertheless, require any bond given hereunder to be executed by

1 a surety or sureties satisfactory to the Department of [Justice]
2 the Solicitor General.

3 Section 9. Section 403 of the act, amended October 5, 1967
4 (P.L.353, No.153) is amended to read:

5 Section 403. Board of Pardons.--The Board of Pardons shall
6 consist of the Lieutenant Governor who shall be chairman, the
7 [Attorney] Solicitor General, and three members appointed by the
8 Governor with the consent of two-thirds of the members elected
9 to the Senate, one for two years, one for four years, and one
10 for six years, and thereafter for full terms of six years. The
11 three members appointed by the Governor shall be residents of
12 Pennsylvania and shall be recognized leaders in their fields;
13 one shall be a member of the bar, one a penologist, and the
14 third a doctor of medicine, psychiatrist or psychologist. The
15 board shall keep records of its actions, which shall at all
16 times be open for public inspection.

17 Three members of the board shall constitute a quorum.

18 Section 10. Section 404 of the act is amended to read:

19 Section 404. Board of Commissioners on Uniform State Laws.--
20 The Board of Commissioners on Uniform State Laws shall consist
21 of three persons, learned in the law, and the [Attorney]
22 Solicitor General, ex officio.

23 The terms of members of the board shall be four years, from
24 the dates of their respective appointments.

25 Section 11. The first paragraph of section 405 of the act,
26 amended June 6, 1939 (P.L.250, No.144), is amended to read:

27 Section 405. Board of Finance and Revenue.--The Board of
28 Finance and Revenue shall consist of the State Treasurer, who
29 shall be chairman thereof, the [Attorney] Solicitor General, the
30 Secretary of the Commonwealth, the Auditor General, and the

1 Secretary of Revenue.

2 * * *

3 Section 12. Section 406 of the act, amended December 18,
4 1968 (P.L.1232, No.390), is amended to read:

5 Section 406. Board of Property.--The Board of Property shall
6 consist of the Secretary of Community Affairs, the Secretary of
7 the Commonwealth, and the [Attorney] Solicitor General. Two
8 members of the board shall constitute a quorum.

9 Section 13. Section 469 of the act, added July 31, 1968
10 (P.L.754, No.235), is amended to read:

11 Section 469. Pennsylvania Crime Commission.--(a) The
12 Pennsylvania Crime Commission shall consist of [four
13 commissioners to be appointed by the Governor and the Attorney
14 General as chairman.] the Attorney General who shall be
15 chairman, the Solicitor General who shall be vice-chairman, and
16 three other commissioners appointed by the Attorney General.

17 (b) The [Governor] Attorney General shall appoint all of the
18 commissioners within thirty days of the effective date of this
19 act. [Two] One of the commissioners shall be appointed to fill
20 [terms] a term which will expire on July 1 of the next even
21 numbered year. Two of the commissioners shall be appointed to
22 fill terms which will expire on July 1 of the next odd numbered
23 year. The [Governor] Attorney General shall then appoint
24 commissioners to fill the expired terms with two year
25 appointments. Each commissioner may be appointed for more than
26 one term. Commissioners shall receive fifty dollars (\$50) a day
27 compensation for their services.

28 (c) The chairman shall appoint and fix the compensation of
29 an executive director. The executive director shall devote his
30 full time to the general supervision of all investigations and

1 proceedings by the commission.

2 (d) The chairman may appoint such other employes as he may
3 from time to time find necessary for the proper performance of
4 the functions of the commission. The salaries of the other
5 employes shall be fixed by the chairman.

6 (e) The expenses incurred by the commissioners, executive
7 director or other employes of the commission shall be allowed
8 and paid on the presentation of itemized vouchers therefor, and
9 approved by the commission, in the same manner and procedure as
10 Department of Justice employes.

11 Section 14. Section 512 of the act, amended December 17,
12 1970 (P.L.935, No.292), is amended to read:

13 Section 512. Legal Advice and Services.--Whenever any
14 department, [other than the Department of the Auditor General,]
15 board, commission, or officer of the State Government, other
16 than the Department of the Auditor General and the Department of
17 Justice, shall require legal advice concerning its conduct or
18 operation, or when any legal difficulty or dispute arises, or
19 civil litigation is commenced or to be commenced in which any
20 department, [other than the Department of the Auditor General,]
21 board, commission, or officer, other than the Department of the
22 Auditor General and the Department of Justice, is concerned, or
23 whenever any taxes or other accounts of any kind whatever due
24 the Commonwealth remain overdue and unpaid for a period of
25 ninety days, it shall be the duty of such department, board,
26 commission, or officer, to refer the same to the Department of
27 [Justice.] Solicitor General.

28 It shall be the duty of any department, [other than the
29 Department of the Auditor General,] board, commission, or
30 officer, other than the Department of the Auditor General or the

1 Department of Justice, having requested and received legal
2 advice from the Department of [Justice] Solicitor General
3 regarding the official duty of such department, board,
4 commission, or officer, to follow the same, and, when any
5 officer shall follow the advice given him by the Department of
6 [Justice] Solicitor General, he shall not be in any way liable
7 for so doing, upon his official bond or otherwise.

8 Before the Department of [Justice] Solicitor General shall
9 render any opinion, interpreting any appropriation act, or act
10 authorizing the expenditure of money, it shall notify the
11 Department of the Auditor General, and the Treasury Department,
12 of the question upon which its opinion has been requested, and
13 afford to these departments an opportunity to present any views
14 which they may have upon such question.

15 It shall be unlawful for any department, [other than the
16 Department of the Auditor General,] board, commission, or
17 officer, of the Commonwealth, other than the Department of the
18 Auditor General or the Department of Justice, to engage any
19 attorney to represent such department, board, commission, or
20 officer, in any matter or thing relating to the public business
21 of such department, board, commission, or officer, without the
22 approval in writing of the [Attorney General.] Solicitor
23 General.

24 Section 15. Section 513 of the act, amended April 2, 1963
25 (P.L.11, No.9), is amended to read:

26 Section 513. Acceptance of Gifts or Donations.--Every
27 administrative department, every independent administrative
28 board and commission, and, with the approval of the department
29 with which it is connected, every departmental administrative
30 board or commission, may accept gifts or donations of money,

1 securities, or other personal property, which, or the income of
2 which, shall be used in conducting the work of such department,
3 board, or commission, or for the benefit of the inmates or
4 patients of any State institution administered by such
5 department, board, or commission.

6 The Department of [Property and Supplies,] General Services,
7 with the approval of the Governor, may accept for educational
8 purposes on behalf of the Commonwealth real estate, or any
9 interest in real estate, by deed, gift or devise, upon
10 investigation and approval of the title thereto by the
11 Department of [Justice,] Solicitor General, and except as
12 otherwise in this act expressly provided, a department, board,
13 or commission, shall not accept any gift of real estate, or of
14 any interest in real estate, without specific authority from the
15 General Assembly so to do.

16 Section 16. Subsections (b) and (d) of Section 514 of the
17 act, amended December 18, 1968 (P.L.1232, No.390), are amended
18 to read:

19 Section 514. Sale of Real Estate and Grants of Rights of Way
20 or Other Rights Over or in Real Estate; Tapping Water Lines of
21 Institutions and Sanatoria.--* * *

22 (b) Any department, board, or commission, having control
23 over lands of the Commonwealth underlaid with veins of coal,
24 may, with the approval of the Governor, exchange part of such
25 coal for coal in place, owned by private interests, which may be
26 necessary to insure lateral or surface support for any building,
27 reservoir, or structure erected or to be erected on such lands
28 of the Commonwealth: Provided, That the coal given by the
29 department, board, or commission, to private interests, shall be
30 approximately equivalent in value to the coal received in

1 exchange therefor; every such department, board, or commission
2 is hereby authorized and empowered to execute and deliver and to
3 receive legal instruments and deeds necessary to effectuate any
4 exchange authorized hereunder, which instruments and deeds shall
5 have the prior approval of the Department of [Justice] the
6 Solicitor General, and a copy thereof shall be filed with the
7 Department of Community Affairs.

8 * * *

9 (d) In the event that the facilities of any corporation
10 heretofore created under the act, approved the twenty-ninth day
11 of April, one thousand eight hundred seventy-four (Pamphlet
12 Laws, seventy-three), section two, clause eleven, as amended by
13 the act, approved the eighth day of May, one thousand eight
14 hundred eighty-nine (Pamphlet Laws, one hundred thirty-six), are
15 located by virtue of a permanent easement, right of way upon,
16 across, over, under or along lands of the Commonwealth, which
17 lands were acquired by it subject to such easement or right of
18 way and in the interest of national defense, such corporation
19 consents or is required to remove or dispose of such facilities
20 and abandon such easement or right of way, any department, board
21 or commission having control over such lands of the Commonwealth
22 may, with the approval of the Governor, and upon the surrender
23 to the Commonwealth of the easement or right of way pertaining
24 to such facilities grant to such corporation a permanent
25 easement or right of way upon, across, over, under or along
26 other lands of the Commonwealth in the same locality. Every such
27 department, board or commission is hereby authorized and
28 empowered to execute and deliver and to receive deeds or other
29 legal instruments necessary to effectuate such grant and
30 surrender, which deeds or instruments shall have the prior

1 approval of the Department of [Justice,] the Solicitor General,
2 and a copy thereof shall be filed with the Department of
3 Community Affairs.

4 * * *

5 Section 17. Section 516 of the act is amended to read:

6 Section 516. Contracts.--No member or officer of any
7 department of the government shall be in any way interested in
8 any contract for furnishing stationery, printing paper, fuel,
9 furniture, materials, or supplies, to the State Government, or
10 for the printing, binding, and distributing of the laws,
11 journals, department reports, or any other printing and binding,
12 or for the repairing and furnishing the halls and rooms used for
13 the meetings of the General Assembly and its committees. Any
14 employe having such interest shall be dismissed immediately by
15 the appropriate supervisor, department head, or other immediate
16 superior. Ultimate responsibility to make such dismissal shall
17 rest with the Governor when necessary.

18 Section 18. Section 524 of the act, amended June 14, 1947
19 (P.L.604, No.260), is amended to read:

20 Section 524. Disposition of Useless Records.--(a) Except as
21 provided in subsection (b) or as otherwise provided by law,
22 whenever any administrative department, board or commission
23 shall have an accumulation of files of correspondence, reports,
24 records or other papers, which are not needed or useful in the
25 transaction of the current or anticipated future work of such
26 department, board or commission, and which date back a period of
27 four years and more, it shall be the duty of the head of such
28 department, board or commission to submit to the Executive Board
29 and to the Pennsylvania Historical and Museum Commission a
30 report of that fact, accompanied by a concise statement of the

1 condition, quantity, and character of such papers, which
2 statement shall be sufficiently detailed to identify the papers.
3 If the Executive Board shall be of the opinion that such files
4 of correspondence, reports, records or other papers, or any part
5 thereof, are not needed or useful in the transaction of the
6 current or anticipated future work of such department, board or
7 commission, and shall so certify and if the Pennsylvania
8 Historical and Museum Commission shall be of the opinion that
9 such files are not of permanent value or historic interest and
10 shall so certify, the head of such department, board or
11 commission shall place such files, or any part thereof, as the
12 case may be, in the custody of the Department of [Property and
13 Supplies] General Services, and such department is hereby
14 authorized to dispose of the same as waste paper, in the manner
15 prescribed in this act for the sale of unserviceable property:
16 Provided, however, That the Executive Board, with the approval
17 of the Pennsylvania Historical and Museum Commission, may direct
18 that any such files of correspondence, reports, records or other
19 papers, or any part thereof, that are of permanent value or
20 historical interest be turned over to the Pennsylvania
21 Historical and Museum Commission for preservation for historical
22 and archival purposes or that the Pennsylvania Historical and
23 Museum Commission may negotiate with the head of such
24 department, board or commission for the transfer of such files.

25 (b) Before such records may be so transmitted and disposed,
26 the Department of Justice shall certify that there are no civil
27 or criminal cases pending which involve such records. The
28 Attorney General may request, for any reason, a delay in the
29 destruction of such records for a period not to exceed one year.

30 Section 19. The first paragraph of section 604 of the act,

1 amended May 6, 1970 (P.L.356, No.120), is amended to read:

2 Section 604. Estimates of Current Expenditures by
3 Departments, Boards, and Commissions.--Each administrative
4 department, board, and commission, except the departments of
5 which the Auditor General, Attorney General and the State
6 Treasurer are respectively the heads, shall, from time to time,
7 as requested by the Governor, prepare and submit to the
8 Governor, for approval or disapproval, an estimate of the amount
9 of money required for each activity or function to be carried on
10 by such department, board or commission, during the ensuing
11 month, quarter, or such other period as the Governor shall
12 prescribe. All available Federal funds shall be characterized as
13 and shall be included in the estimated expenditures which must
14 be submitted and approved by the Governor, before any
15 expenditures therefrom may be made. If such estimate does not
16 meet with the approval of the Governor, it shall be revised in
17 accordance with the Governor's desires and resubmitted for
18 approval.

19 * * *

20 Section 20. Section 605, clauses (d) and (e) of section 701
21 of the act, amended December 18, 1968 (P.L.1232, No.390), are
22 amended to read:

23 Section 605. Estimates of Current Expenditures by
24 Departments of Elective Officers.--The Auditor General, Attorney
25 General, and State Treasurer shall, from time to time, as
26 requested by the Governor, prepare and submit to the Governor
27 estimates of the amounts of money required for each activity or
28 function to be carried on by their respective departments during
29 the ensuing month, quarter, or such other period as the Governor
30 shall prescribe.

1 Section 701. The Governor.--The Governor shall have the
2 power and it shall be his duty:

3 * * *

4 (d) To prescribe and require the installation of a uniform
5 system or systems of bookkeeping, accounting, and reporting, for
6 the several administrative departments, boards, and commissions,
7 except for the Department of the Auditor General, the Justice
8 Department, and the Treasury Department but, before prescribing
9 and requiring such installation, the Governor shall consult with
10 the Department of the Auditor General;

11 (e) To prescribe forms for accounts and financial records,
12 reports, and statements, for the several administrative
13 departments, boards, and commissions, except the Department of
14 the Auditor General, the Justice Department, and the Treasury
15 Department but, before prescribing such forms, the Governor
16 shall consult with the Department of the Auditor General;

17 * * *

18 Section 21. Section 704 of the act is amended to read:

19 Section 704. Attorney General.--The Attorney General shall
20 be the [legal advisor of the Governor, in the performance of his
21 official duties, and the] chief law officer of the Commonwealth.

22 He shall exercise such powers and perform such duties as may
23 now or hereafter be vested in or imposed upon him by the
24 Constitution and laws of this Commonwealth.

25 Section 22. The act is amended by adding a section to read:

26 Section 704.1. Solicitor General.--The Solicitor General
27 shall be the legal advisor of the Governor in the performance of
28 his official duties.

29 He shall exercise such powers and perform such duties as may
30 now or hereafter be vested in or imposed upon him by the

1 Constitution and laws of this Commonwealth.

2 Section 23. Clauses (a), (b) and (j) of section 709 of the
3 act, amended December 18, 1968 (P.L.1232, No.390), are amended
4 to read:

5 Section 709. Executive Board.--Subject to the provisions of
6 this act, the Executive Board shall have the power:

7 (a) To standardize the qualifications for employment, and
8 all titles, salaries, and wages, of persons employed by the
9 administrative departments, boards, and commissions, except the
10 Department of the Auditor General, the Department of Justice and
11 the Treasury Department. In establishing such standards the
12 board may:

13 (1) Take into consideration the location of the work and the
14 conditions under which the service is rendered;

15 (2) Establish different standards for different kinds,
16 grades and classes of similar work or service;

17 (b) To approve or disapprove the establishment of bureaus
18 and divisions by the administrative departments, other than the
19 Department of the Auditor General, the Department of Justice and
20 the Treasury Department, and by the independent administrative
21 boards and commissions, and to investigate duplication of work
22 of the several administrative departments, boards, and
23 commissions, and the efficiency of the organization and
24 administration thereof, and the better coordination of such
25 departments, boards, and commissions;

26 * * *

27 (j) From time to time to determine the number and type of
28 automobiles to be purchased by the Department of [Property and
29 Supplies] General Services, acting either on its own behalf or
30 as purchasing agency for any other department, except the

1 Department of the Auditor General, the Department of Justice and
2 the Treasury Department, or for any board or commission, and to
3 make rules and regulations for the use of State automobiles by
4 State officers and employes, except the Department of the
5 Auditor General, the Department of Justice and the Treasury
6 Department.

7 * * *

8 Section 24. Sections 902, 903, 905, 905.1, 905.2, 906, 909,
9 910, 911, 912, 913, 914, 914.1, 915 and 916 of the act are
10 hereby repealed.

11 Section 25. The act is amended by adding a section to read:

12 Section 916.1. Deputy Attorneys General.--The Attorney
13 General may appoint and fix the salaries of such additional
14 deputy attorneys general as are necessary to conduct the regular
15 work of the department. The Attorney General may also from time
16 to time appoint and fix the compensation of special deputy
17 attorneys general and special attorneys to represent the
18 Commonwealth in special work or in particular cases.

19 Section 26. Section 922 of the act, added December 17, 1968
20 (P.L.1221, No.386), is amended to read:

21 Section 922. Advisory Committees.--The [Governor by
22 executive order, shall create] Attorney General shall appoint
23 advisory committees to assist the Bureau of Consumer Protection
24 in carrying out its functions. The [Governor] Attorney General
25 shall appoint the members of such committees and they shall
26 serve at his pleasure. The committees shall be under the
27 direction of the Attorney General and their recommendations
28 shall not be binding on the bureau. Members of the committees
29 shall serve without compensation other than reimbursement for
30 actual and necessary expenses incurred in the performance of

1 their duties.

2 Section 27. Clause (7) of section 923 of the act, added July
3 31, 1968 (P.L.754, No.235), is amended to read:

4 Section 923. Pennsylvania Crime Commission.--The
5 Pennsylvania Crime Commission shall have power and its duty
6 shall be:

7 * * *

8 (7) To account to the [Governor] Attorney General, the
9 Auditor General and the General Assembly at the end of each
10 fiscal year for all moneys received and disbursed.

11 * * *

12 Section 28. The act is amended by adding sections to read:

13 Section 926. Bureau of Administrative Investigation.--There
14 shall be established in the Department of Justice a Bureau of
15 Administrative Investigation under the direction of a Deputy
16 Attorney General whose sole responsibility will be the
17 investigation of malfeasance, nonfeasance, misfeasance and
18 corruption in any public office.

19 Section 927. Powers and Duties of the Bureau of
20 Administrative Investigation.--The Bureau of Administrative
21 Investigation shall have the power and its duties shall be to
22 investigate all reports of improper conduct by any public
23 official or employe.

24 Section 928. Authority of Attorney General and the Deputy
25 Attorney General in charge of the Bureau of Administrative
26 Investigation.--In addition to any powers vested in the Attorney
27 General by other provisions of this act, the Attorney General
28 shall be authorized to require the attendance and testimony of
29 witnesses and the production of any books, accounts, papers,
30 records, documents, and files relating to any public contract,

1 public office, public employment or the receipt or expenditure
2 of any public moneys in the Commonwealth or any political
3 subdivision thereof. For this purpose, the Attorney General or
4 his representative may sign subpoenas subsequent to approval by
5 a court of common pleas having jurisdiction, administer oaths or
6 affirmations, examine witnesses and receive evidence during any
7 such investigation or public or private hearing. In case of
8 disobedience to any subpoena or the contumacy of any witness
9 appearing before the Attorney General or his representative, the
10 Attorney General or his representative may invoke the aid of the
11 Commonwealth Court or any court of record of the Commonwealth,
12 and such court may thereupon issue an order requiring the person
13 subpoenaed to obey the subpoena or to give evidence or to
14 produce books, accounts, papers, records, documents and files
15 relative to the matter in question. Any failure to obey such
16 order of the court shall be punishable by the court as contempt.

17 Section 29. The act is amended by adding an article to read:

18 ARTICLE IX-A

19 Powers and Duties of the Department of the
20 Solicitor General and Its Departmental
21 Administrative Boards

22 Section 901-A. Powers and Duties in General.--The Department
23 of the Solicitor General shall, subject to any inconsistent
24 provisions in this act, exercise the powers and perform the
25 duties by law invested in and imposed upon the Solicitor General
26 and the Department of the Solicitor General.

27 Section 902-A. Legal Advice.--The Department of the
28 Solicitor General shall have the power, and its duty shall be:

29 (a) To furnish legal advice to the Governor, and to all
30 administrative departments, boards, commissions, and officers of

1 the State Government, other than the Department of the Auditor
2 General and the Department of Justice, concerning any matter or
3 thing arising in connection with the exercise of the official
4 powers or the performance of the official duties of the
5 Governor, or such administrative departments, boards,
6 commissions, or officers.

7 (b) To supervise, direct and control all of the legal
8 business of every administrative department, board, and
9 commission of the State Government other than the Department of
10 the Auditor General and the Department of Justice.

11 Section 903-A. Civil Litigation.--The Department of the
12 Solicitor General shall have the power, and its duty shall be:

13 (a) To collect, by suit or otherwise, all debts, taxes, and
14 accounts, due the Commonwealth, which shall be placed with the
15 department for collection by any department, board or
16 commission. The department shall keep a proper docket or
17 dockets, duly indexed, in which it shall make and preserve
18 memoranda of all such claims, showing whether they are in
19 litigation and their nature and condition.

20 (b) To represent the Commonwealth, or any department, board,
21 commission, or officer thereof, other than the Department of the
22 Auditor General and the Department of Justice, in any civil
23 litigation to which the Commonwealth or such department, board,
24 commission, or officer, may be a party, or in which the
25 Commonwealth or such department, board, commission, or officer,
26 is permitted or required by law to intervene or interplead.

27 Section 904-A. Codification of the Laws.--The Department of
28 the Solicitor General shall have the power, and its duty shall
29 be, to prepare, for submission to the General Assembly, from
30 time to time, such revisions and codifications of the laws of

1 this Commonwealth, or any part thereof, as may be deemed
2 advisable.

3 Section 905-A. Power to Make Grants.--The Department of the
4 Solicitor General, by and through the Juvenile Court Judges'
5 Commission, shall have the power, and its duty shall be to make
6 annual grants to political subdivisions for the development and
7 improvement of probation services for juveniles.

8 Section 906-A. Acceptance or Refusal of Grants.--The
9 Department of the Solicitor General shall have the power, and
10 its duty shall be to accept or refuse grants, appropriations or
11 contributions of property, whether real, personal or mixed,
12 tangible or intangible, or any interest therein, for the
13 purposes described in section 905-A from the Federal Government,
14 the Commonwealth, and any donor. All grants, appropriations and
15 contributions of money accepted by the Department of the
16 Solicitor General shall be held by the State Treasurer as
17 custodian for the Department of the Solicitor General, and shall
18 be paid out on requisition of the Department of the Solicitor
19 General to further the objectives of section 905-A.

20 Section 907-A. Deputy Solicitors General.--In addition to
21 such deputy solicitors general as may be appointed to assist in
22 the conduct of the regular work of the department, the Solicitor
23 General, with the approval of the Governor, shall have power:

24 (a) To appoint and fix the compensation of such special
25 deputy solicitors general, as may be required, to represent and
26 advise the Workmen's Compensation Board, and any other
27 departments, boards, and commissions other than the Department
28 of the Auditor General and the Department of Justice, which may
29 require the services of counsel to such an extent as to render
30 it reasonably necessary to assign deputy solicitors general

exclusively to their work: Provided, That the office of counsel to the Pennsylvania Public Utility Commission shall be retained, such counsel to be appointed by the Solicitor General. The Solicitor General may also, from time to time, with the approval of the Governor, appoint such assistant counsel to the Pennsylvania Public Utility Commission as may be required for the proper conduct of its work. The compensation of the counsel and assistant counsel of the Pennsylvania Public Utility Commission shall be fixed by the commission with the approval of the Governor as now provided by law.

(b) From time to time appoint and fix the compensation of special deputy solicitors general, and special solicitors, to represent the Commonwealth, or any department, board, or commission thereof other than the Department of the Auditor General and the Department of Justice, in special work or in particular cases.

(c) To appoint and fix the compensation of deputy solicitors general, to represent the Commonwealth, and the several departments, boards, and commissions thereof, other than the Department of the Auditor General and the Department of Justice, in all legal matters arising in any city or county, other than the State Capital, except as otherwise provided in this act: Provided, That the same deputy solicitor general may be assigned to two or more cities or counties in the discretion of the Solicitor General.

Section 908-A. Access to Books and Papers.--The Solicitor General shall have the right of access at all times to the books and papers of any administrative department, board, or commission of the State Government.

Section 909-A. Board of Pardons.--The Board of Pardons shall

1 have the power to hear applications for the remission of fines
2 and forfeitures, and the granting of reprieves, commutations of
3 sentence, and pardons, except in cases of impeachment, and to
4 make recommendations in writing to the Governor thereon, in the
5 manner provided in and under subject to Article IV, section 9,
6 of the Constitution of this Commonwealth.

7 The Board of Pardons shall adopt rules and regulations
8 governing its actions and no hearings or recommendations except
9 those involving applicants under sentence of death shall be
10 contrary thereto.

11 Section 910-A. Board of Commissioners on Uniform State
12 Laws.--Subject to any inconsistent provisions in this act
13 contained, the Board of Commissioners on Uniform State Laws
14 shall have the power, and its duty shall be:

15 (a) To examine such subjects as it may deem necessary, and
16 to ascertain the best means to effect an assimilation and
17 uniformity of State legislation throughout the United States
18 relating to the subject so examined.

19 (b) To meet with the National Conference of Commissioners on
20 Uniform State Laws, for the promotion of uniformity of
21 legislation in the United States, at its annual or other
22 sessions, and join with it in such measures as may be deemed
23 most expedient to advance the object of its appointment.

24 Section 911-A. Corrections.--The Department of the Solicitor
25 General shall have the power and its duty shall be to supervise
26 and control the State Correctional Institution at Philadelphia,
27 State Correctional Institution at Pittsburgh, State Correctional
28 Institution at Rockview, State Correctional Institution at
29 Graterford, State Correctional Institution at Huntingdon, State
30 Correctional Institution at Camp Hill, State Correctional

Institution at Muncy, State Correctional Institution at Dallas and such State regional jails, forestry camps and other State penal or correctional off-institution grounds, facilities or installations which have been and which may be established by law. In addition, the Department of the Solicitor General shall have all the functions, powers and duties formerly vested in the Department of Justice by Reorganization Plan No. 5 of 1955 (1955 P.L.2048) with regard to the supervision, visitation, and inspection of prisons and jails maintained by counties, cities, boroughs and townships.

Section 912-A. Bureau of Correction.--There shall be a Bureau of Correction in the Department of the Solicitor General, in charge of a Commissioner of Correction appointed by the Solicitor General with the approval of the Governor.

Section 913-A. Deputy Commissioner for Treatment.--The Commissioner of Correction shall appoint one Deputy Commissioner for Treatment, who shall be in charge of and responsible for the administration of the Eastern Correctional Diagnostic and Classification Center and the Western Correctional Diagnostic and Classification Center. He shall have the sole responsibility for the transfer of persons from said diagnostic and classification centers to State institutions and the transfer of persons from one State institution to another. If for any reason he is unable to act or his office is vacated, his duty with regard to such transfers may be performed by the Commissioner of Correction or someone specifically delegated by the Commissioner of Correction.

Section 914-A. Personnel.--The Commissioner of Correction shall appoint such other deputies, wardens, superintendents, experts, professional, technical and skilled personnel as may be

required for the proper administration of the penal and
correctional institutions within the jurisdiction of the
Department of the Solicitor General.

The officers in charge of State penal and correctional
institutions, with the approval of the Commissioner of
Correction, shall appoint, assign and dismiss the personnel of
such institutions.

Section 915-A. Inmate Labor at Nonpenal Institutions.--The
Bureau of Correction shall have the power and its duty shall be:

(1) to establish in nonpenal institutions, or on the grounds
thereof, facilities for minimum risk inmates of penal
institutions; and

(2) to assign or transfer inmates to minimum risk facilities
at nonpenal institutions for such time and at such employment as
the Commissioner of Correction shall deem to be in the best
interests of the inmate.

Section 916-A. Inmate Labor.--The Bureau of Correction shall
have the power and its duty shall be:

(a) To establish, maintain and carry on industries in the
State penal and correctional institutions under the jurisdiction
of the Department of the Solicitor General as it may deem
proper, in which industries all persons sentenced to, assigned
to or transferred to such institutions, who are physically
capable of such labor, may be employed at labor for not to
exceed eight hours each day, other than Sundays and public
holidays. Such labor shall be for the purpose of doing printing
or of manufacturing and producing supplies, or for the
preparation and manufacture of building materials for the
construction or repair of any State institution or in the work
of such construction or repair, or for the planting of seed

1 trees, or for the purpose of industrial training or instruction,
2 or in the manufacture and production of crushed stone, brick,
3 tile and culvert pipe or other material suitable for draining
4 roads of the State or in preparation of road building and
5 ballasting material.

6 (b) To determine the amount, kind and character of the
7 machinery to be erected in each of the said penitentiaries,
8 reformatories or other penal or correctional institutions in the
9 Department of the Solicitor General and the industries to be
10 carried on therein, having due regard to the location and
11 convenience thereof with respect to other institutions to be
12 supplied to the machinery therein and the number and character
13 of inmates.

14 (c) To contract to sell or sell the articles manufactured or
15 produced in the said industries carried on in the said
16 penitentiaries, reformatories or other penal or correctional
17 institutions, which cannot be used therein, to the Commonwealth
18 or to any political subdivision thereof, or to any State,
19 municipality, or county authority, created by or under any law
20 of this Commonwealth, or to any State institution, or to any
21 educational or charitable institution receiving aid from the
22 Commonwealth, or to the Government of the United States or any
23 department, bureau, commission, authority or agency thereof, or
24 to any other State or political subdivision or authority
25 thereof, or to any institution receiving aid from the Government
26 of the United States or of any other state.

27 (d) To arrange for the employment of inmates of such
28 institutions at such work or labor within or upon the grounds of
29 such institutions as may be necessary for the maintenance of the
30 institutions or the raising of food products therefor.

1 (e) To charge to each institution, such rate per diem as may
2 be paid by the department to such inmate hereunder for his
3 services, for the work or labor of each inmate engaged in work
4 or labor within or upon the grounds of such institution for the
5 maintenance of the institution or the raising of food products
6 therefor.

7 Also to collect from each such institution, for any
8 manufactured supplies or products used by it, the same price per
9 article used as it would receive upon the sale of such article
10 in similar quantities to the Commonwealth or any other agency to
11 which it is authorized to sell articles manufactured or produced
12 by inmate labor. All amounts collected by the Department of the
13 Solicitor General from such institutions hereunder shall be paid
14 through the Department of Revenue into the Manufacturing Fund in
15 the State Treasury and all such amounts shall be considered a
16 part of such institutions' maintenance expense.

17 (f) To charge to each such institution, in like manner, for
18 the labor of all inmates engaged in preparing materials for the
19 construction of buildings or in doing construction work, such
20 payments to be made by the institutions out of funds available
21 for construction work. All moneys received hereunder shall be
22 paid into the Manufacturing Fund through the Department of
23 Revenue.

24 (g) Through the Department of Revenue, to pay into the
25 Manufacturing Fund the proceeds of all sales of manufactured
26 products made under this section and all moneys received for the
27 labor of inmates in State forests or elsewhere than on the
28 grounds of the institution. This clause shall not, however,
29 apply to the sale of surplus food products or products of the
30 soil as elsewhere in this act permitted.

1 (h) To pay out of the Manufacturing Fund all expenses
2 necessary for the proper conduct of the work of the Department
3 of the Solicitor General pertaining to the establishment,
4 maintenance and carrying on of industries in the State penal and
5 correctional institutions and the rehabilitation of the inmates
6 thereof.

7 Estimates of the amounts to be expended from the
8 Manufacturing Fund shall be submitted to the Governor, from time
9 to time, for his approval or disapproval, as in the case of
10 other appropriations, and it shall be unlawful for the
11 Department of the Auditor General to honor any requisition for
12 expenditures or moneys out of this appropriation in excess of
13 the estimates approved by the Governor. Subject to this
14 provision, the Department of the Auditor General shall, from
15 time to time, draw warrants upon the Treasury Department for the
16 amounts specified in such requisitions, not exceeding, however,
17 the amount in the Manufacturing Fund at the time of the making
18 of any such requisitions.

19 (i) To require that an account shall be kept, by the proper
20 officers of each said penitentiary, reformatory and other
21 correctional institution, of the labor performed by inmates. In
22 such account shall be shown, at the time each inmate is actually
23 engaged in work, the rate of wage at which he is to be paid,
24 which shall be regulated by the department. In no case shall the
25 amount be less than ten cents for each day of labor actually
26 performed. The rate of compensation shall be based both upon the
27 pecuniary value of the work performed and also on the
28 willingness, industry and good conduct of the inmate. All
29 amounts payable to inmates hereunder shall be paid to the
30 institution out of the Manufacturing Fund, to be disbursed or

1 held by such institution in the manner following:

2 Three-fourths of the amount of wages payable to an inmate of
3 such penitentiary, reformatory or other institution, or the
4 entire amount if the inmate so wishes, shall constitute a fund
5 for the relief of any person or persons dependent upon such
6 inmate, and shall be paid, upon the order of the board of
7 trustees of the penitentiary, reformatory or other institution
8 in which the inmate is a prisoner, to the person or persons
9 establishing such dependency to the satisfaction of such board,
10 at such time or times as said board may order.

11 All sums credited to any inmate and not paid to a dependent
12 or dependents shall be paid to the inmate on his discharge from
13 the penitentiary, reformatory or other institution in which he
14 was a prisoner: Provided, however, That subject to the rules and
15 regulations of the board of trustees of the penitentiary,
16 reformatory or other institution in which such inmate is a
17 prisoner, the whole or any part of said sum may be paid to him
18 during his imprisonment for his present needs, such rules and
19 regulations to be subject to the approval of the department.

20 (j) To have and exercise supervision over the labor employed
21 in the aforesaid industries and to make rules and regulations
22 for carrying on such industries.

23 (k) To the extent to which the Bureau of Correction is
24 unable to provide work for every physically able inmate of such
25 institutions, to permit inmates to engage in such work or
26 industries as the bureau may approve and which they are able to
27 provide from other sources, but all such work shall be
28 performed, the products thereof sold, and the proceeds thereof
29 disposed of, under the rules and regulations of the Bureau of
30 Correction covering the same.

1 Section 917-A. Board of Trustees of State Institutions.--The
2 boards of trustees of each State institution within the
3 Department of the Solicitor General and the Commissioner of
4 Correction shall have general direction and control of the
5 property and management of such institutions. Together they
6 shall have the power and their duties shall be:

7 (a) Subject to the approval of the Governor, to appoint a
8 superintendent or warden of the institution who shall, subject
9 to the authority of the board and the Commissioner of
10 Correction, administer the institution in accordance with law.

11 (b) On nomination by the superintendent or warden, from time
12 to time, to appoint such officers and employees as may be
13 necessary.

14 (c) To fix the salaries of the employees in conformity with
15 the standards established by the Executive Board.

16 (d) Subject to the approval of the Department of the
17 Solicitor General, to make such bylaws, rules and regulations
18 for the management of the institution.

19 The Governor, by Executive Order, shall designate which of
20 the powers and duties referred to above shall be exercised by
21 the Commissioner of Correction and which shall be exercised by
22 the boards of trustees. Said order need not be uniform or
23 applicable to all institutions.

24 Section 30. The introductory paragraph of section 1206 of
25 the act, amended December 18, 1968 (P.L.1232, No.390), is
26 amended to read:

27 Section 1206. Standards.--The Department of [Justice] the
28 Solicitor General shall have the power, and its duty shall be:

29 * * *

30 Section 31. Clause (11) of section 1903-A of the act, added

1 December 3, 1970 (P.L.834, No.275), is amended to read:

2 Section 1903-A. Forest Powers; Lease of Small Areas of State
3 Forests.--The Department of Environmental Resources shall have
4 the power:

5 * * *

6 (11) To lease, with the approval of the Governor, and in
7 cooperation with the Department of Commerce, those State forest
8 lands acquired by gift from Pennsylvania State University or by
9 acquisition from the Curtiss-Wright Corporation which are
10 located at Quehanna, Pennsylvania, or recovered through the
11 termination of a lease with Curtiss-Wright Corporation relating
12 to Quehanna, Pennsylvania, and upon which are erected certain
13 industrial buildings constructed by the Curtiss-Wright
14 Corporation for industrial or economic development purposes or
15 for nuclear reactor safety zone purposes.

16 Such leases may be made with industrial tenants or nonprofit
17 industrial development corporations. The department in securing
18 tenants shall cooperate fully with the Department of Commerce.
19 Every such lease entered into shall conform in general to the
20 terms of the standard industrial lease used by the department
21 and approved by the [Attorney] Solicitor General. Every such
22 lease shall otherwise than as in this act prescribed be upon
23 such terms and conditions as the Secretary of Environmental
24 Resources deems in the best interests of the Commonwealth.
25 However, all paved roads through the Quehanna project shall
26 remain open to the general public use. Any such lease may permit
27 the tenant to alter or expand, at its own expense and with the
28 approval of the department first obtained in writing, existing
29 buildings to meet the requirements of its particular industrial
30 operation. Every such lease shall provide for the deposit of

1 industrial floor space rentals and sewage and water rentals in a
2 restricted receipts fund, from which the department may draw
3 moneys for use in developing, operating and maintaining the
4 water and sewage disposal facilities, and replacing machinery,
5 equipment and fixtures appurtenant thereto, at aforesaid
6 Quehanna. Said restricted receipts fund shall be audited two
7 years from the effective date of this act and at two-year
8 intervals thereafter, with any residue appearing in said fund at
9 the end of each auditing period to be deposited in the General
10 Fund.

11 * * *

12 Section 32. The annual salary of the Solicitor General shall
13 be \$40,000 and the annual salary of the Attorney General shall
14 be \$40,000 which shall be paid in equal semi-monthly
15 installments.

16 Section 33. (a) The following acts are hereby repealed in so
17 far as they are inconsistent herewith:

18 (1) Section 1, act of March 29, 1819 (P.L.266, Ch.CLIX),
19 entitled "An act enjoining duties upon the Attorney General, and
20 for other purposes."

21 (2) The act of April 21, 1857 (P.L.266, No.308), entitled
22 "An act relating to the Office and Duties of Attorney General."

23 (3) The act of July 29, 1953 (P.L.1433, No.410), entitled
24 "An act creating certain penal and correctional institutions and
25 boards of trustees; abolishing certain penal institutions;
26 imposing duties upon the Commissioner of Correction of the
27 Department of Justice; and providing for the costs of
28 transportation and maintenance of inmates."

29 (4) Section 13, act of June 1, 1956 (P.L.1959, No.657),
30 referred to as the Public Official Compensation Law.

1 (5) The act of December 21, 1959 (P.L.1962, No.717),
2 entitled "An act providing for the creation and operation of the
3 Juvenile Court Judges' Commission in the Department of Justice;
4 prescribing its powers and duties; and making an appropriation."

5 (b) All other acts or parts of acts inconsistent herewith
6 are hereby repealed.

7 Section 34. This act shall take effect immediately upon the
8 election and taking office of Attorney General subsequent to the
9 electorate approving an amendment to the Pennsylvania
10 Constitution establishing the Attorney General as an elected
11 officer.