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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2

Session of  
1977

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INTRODUCED BY MEBUS, RYAN, BERLIN, CESSAR, SPENCER, KLINGAMAN,  
GALLEN, S. E. HAYES JR., A. C. FOSTER JR., POLITE, DORR,  
LEVI, POTT, CIMINI, LEHR, MOWERY, GOEBEL, PICCOLA, HELFRICK,  
HALVERSON, GEESEY, WEIDNER, STAIRS, SCHEAFFER, ANDERSON,  
MACKOWSKI, W. W. FOSTER, NOYE, SCIRICA, McCLATCHY, YOHN,  
J. L. WRIGHT JR. AND FREIND, JANUARY 19, 1977

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 19, 1977

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AN ACT

1 Relating to the expiration, continuation or reenactment of  
2 boards, councils, commissions and agencies.

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

5 Section 1. Legislative findings.

6 The General Assembly finds that State Government has produced  
7 an inexorable increase in numbers of agencies, growth of  
8 programs, and proliferation of rules and regulations and that  
9 the whole process developed without adequate legislative  
10 oversight, regulatory accountability, or a system of checks and  
11 balances. The General Assembly further finds that by  
12 establishing a system for the termination, continuation, or  
13 reestablishment of such agencies, it will be in a better  
14 position to evaluate the need for the continued existence of  
15 existing and future regulatory bodies.

16 Section 2. Scope of application.

1       The provisions of this act shall apply to every board,  
2 council, commission, independent commission, committee, agency  
3 and task force of State Government which is created by an act of  
4 the General Assembly or by appointment of the Governor.

5 Section 3. Termination of boards, commissions, councils and  
6 agencies.

7       (a) Unless specifically authorized to continue in being and  
8 function by act of the General Assembly subsequent to the  
9 effective date of this act, every board, commission, council and  
10 agency heretofore created by law, or by resolution adopted  
11 jointly by the House of Representatives and the Senate or by  
12 either of them, shall wind up its affairs and go out of  
13 existence according to the following schedule:

14           (1) On July 1, 1978

15           The State Board of Medical Education and Licensure

16           The State Board of Nurse Examiners

17           The State Dental Council and Examining Board

18           State Board of Motor Vehicle Manufacturers, Dealers  
19           and Salesmen

20           The Mobile Home Standards Advisory Commission

21           The Advisory Committee for the Aging

22           The Advisory Committee for Nursing Home  
23           Administrators

24           The Advisory Committee to the Nursing Home Ombudsman  
25           Demonstration Project

26           The State Board of Cosmetology

27           The State Board of Barber Examiners

28           The State Registration Board for Professional  
29           Engineers

30           The State Board of Funeral Directors

1 The State Board of Optometrical Examiners  
2 The State Board of Pharmacy  
3 The State Board of Podiatry Examiners  
4 The Pennsylvania Board of Psychologist Examiners  
5 The State Board for the Examination of Public  
6 Accountants  
7 The State Real Estate Commission  
8 The State Board of Veterinary Medical Examiners  
9 The State Board of the Examination of Architects  
10 The State Board of the Examination of Landscape  
11 Architects  
12 The State Board of the Examination of Auctioneer  
13 Examiners  
14 The State Board of the Examination of Chiropractic  
15 Examiners  
16 The Port Authority of the City of Erie  
17 The State Highway and Bridge Authority  
18 The Hazardous Substances Transportation Board  
19 The Pennsylvania Parkway Commission  
20 The Southeastern Pennsylvania Transportation  
21 Authority  
22 The State Transportation Commission  
23 The Pennsylvania Turnpike Commission  
24 The Delaware Valley Regional Planning Commission  
25 The Governor's Youth Traffic Council  
26 The Governor's Traffic Safety Council  
27 The Regional Transportation Task Force  
28 The Examiners for the Pennsylvania Liquor Control  
29 Board  
30 The Pennsylvania Liquor Control Board

1 The Armory Board of the State of Pennsylvania  
2 The Pennsylvania National Guard General Officers  
3 The State Veterans' Commission  
4 The State Military Reservation Commission  
5 The State Council of Civil Defense  
6 The Commission on Charitable Organizations  
7 The State Horse Racing Commission  
8 The State Harness Racing Commission  
9 The State Civil Service Commission  
10 The State Lottery Commission  
11 The Municipal Police Officers' Education and Training  
12 Commission  
13 The Governor's Commission on Fire Prevention and  
14 Control

15 (2) July 1, 1979

16 Board of Trustees for the Allentown State Hospital  
17 Board of Trustees for the Ashland State General  
18 Hospital  
19 The Board of Trustees for the Clarks Summit State  
20 Hospital  
21 The Board of Trustees for the Coaldale State General  
22 Hospital  
23 The Board of Trustees for the Connellsville State  
24 General Hospital  
25 The Board of Trustees for the Cresson Center  
26 The Board of Trustees for the Danville State Hospital  
27 The Board of Trustees for the Dixmont State Hospital  
28 The Board of Trustees for the Eastern State School  
29 and Hospital  
30 The Board of Trustees for the Ebensburg Center

1           The Board of Trustees for the Embreeville State  
2           Hospital  
3           The Board of Trustees for the Farview State Hospital  
4           The Board of Trustees for the Hamburg Center  
5           The Board of Trustees for the Harrisburg State  
6           Hospital  
7           The Board of Trustees for the Haverford State  
8           Hospital  
9           The Board of Trustees for the Hazleton State General  
10          Hospital  
11          The Board of Trustees for the Holidaysburg State  
12          Hospital  
13          The Board of Trustees for the Laurelton Center  
14          The Board of Trustees for the Locust Mountain State  
15          General Hospital  
16          The Board of Trustees for the Mayview State Hospital  
17          The Board of Trustees for the Nanticoke State General  
18          Hospital  
19          The Board of Trustees for the Norristown State  
20          The Board of Trustees for the Pennhurst Center  
21          Hospital  
22          The Board of Trustees for the Philadelphia State  
23          Hospital  
24          The Board of Trustees for the Philipsburg State  
25          General Hospital  
26          The Board of Trustees for the Polk Center  
27          The Board of Trustees for the Retreat State Hospital  
28          The Board of Trustees for the Scotland School for  
29          Veteran's Children  
30          The Board of Trustees for the Scranton State General

1                   Hospital  
2           The Board of Trustees for the Selinsgrove Center  
3           The Board of Trustees for the Shamokin State General  
4           Hospital  
5           The Board of Trustees for the Pennsylvania Soldiers'  
6           and Sailors' Home  
7           The Board of Trustees for the Somerset State Hospital  
8           The Board of Trustees of South Mountain Restoration  
9           Center  
10          The Board of Trustees for the Torrance State Hospital  
11          The Board of Trustees for the Warren State Hospital  
12          The Board of Trustees for the Wernersville State  
13          Hospital  
14          The Board of Trustees for the Western Center  
15          The Board of Trustees for the White Haven Center  
16          The Board of Trustees of Woodhaven Center  
17          The Board of Trustees for the Woodville State  
18          Hospital  
19          The Board of Trustees of Scranton State School for  
20          the Deaf  
21          The Advisory Committee for General and Special  
22          Hospitals  
23          The Eastern Youth Development Centers  
24          The Western Youth Development Centers  
25          The Task Force to Study Mercy-Douglass Hospital  
26          Facilities  
27          The Eastern Mental Health Center  
28          The Eastern Pennsylvania Psychiatric Institute  
29          The Advisory Committee for Mental Health and Mental  
30          Retardation

1 The Commonwealth Mental Health Research Foundation

2 The Board of the Western Restoration Center

3 (3) July 1, 1980

4 The Board of Trustees for Bloomsburg State College

5 The Board of Trustees for California State College

6 The Board of Trustees for Cheyney State College

7 The Board of Trustees for Clarion State College

8 The Board of Trustees for Edinboro State College

9 The Board of Trustees for East Stroudsburg State

10 College

11 The Board of Trustees for Indiana University of

12 Pennsylvania

13 The Board of Trustees for Kutztown State College

14 The Board of Trustees for Lock Haven State College

15 The Board of Trustees for Mansfield State College

16 The Board of Trustees for Millersville State College

17 The Board of Trustees for Shippensburg State College

18 The Board of Trustees for Slippery Rock State College

19 The Board of Trustees for Pennsylvania State

20 University

21 The Board of Trustees for the University of

22 Pittsburgh

23 The Board of Trustees for Temple University

24 The Board of Trustees for Lincoln University

25 The Board of Trustees for West Chester State College

26 The Board of State College and University Directors

27 The Pennsylvania Public TV Network Commission

28 The State Board of Private Academic Schools

29 The State Board of Private Business Schools

30 The State Board of Private Correspondence Schools

1 The State Board of Trade Schools  
2 Board of Trustees for the Thaddeus Stevens State  
3 School of Technology  
4 The Pennsylvania Higher Education Assistance Agency  
5 The State Public School Building Authority  
6 The Pennsylvania Higher Education Facilities  
7 Authority  
8 The Pennsylvania Commission on School Finance  
9 The State Apprenticeship and Training Council  
10 The Pennsylvania Parent Assistance Authority  
11 The Blue Ribbon Committee for the Temple University  
12 Hospital of Temple University  
13 The State Board of Education  
14 The Advisory Council on Library Development  
15 The Advisory Committee for Children and Youth  
16 The Citizens Commission on Basic Education  
17 The Pennsylvania Postsecondary Education Planning  
18 Commission  
19 The Pennsylvania Commission for Women  
20 The Task Force to Eliminate Discrimination Against  
21 Woman and Minority Groups in State Government  
22 The Governor's Interdepartmental Council on Seasonal  
23 Farmworkers  
24 The Governor's Committee for Migrant Services  
25 The Governor's Council on Opportunity for Spanish-  
26 Speaking  
27 The Governor's Affirmative Action Council  
28 The State Manpower Planning Council  
29 The State Manpower Services Council  
30 The Pennsylvania Human Relations Commission



1           (4) On July 1, 1981

2           The Adams County Board of Assistance  
3           The Allegheny County Board of Assistance  
4           The Armstrong County Board of Assistance  
5           The Beaver County Board of Assistance  
6           The Bedford County Board of Assistance  
7           The Berks County Board of Assistance  
8           The Blair County Board of Assistance  
9           The Bradford County Board of Assistance  
10          The Bucks County Board of Assistance  
11          The Butler County Board of Assistance  
12          The Cambria County Board of Assistance  
13          The Cameron County Board of Assistance  
14          The Carbon County Board of Assistance  
15          The Centre County Board of Assistance  
16          The Chester County Board of Assistance  
17          The Clarion County Board of Assistance  
18          The Clearfield County Board of Assistance  
19          The Clinton County Board of Assistance  
20          The Columbia County Board of Assistance  
21          The Crawford County Board of Assistance  
22          The Cumberland County Board of Assistance  
23          The Dauphin County Board of Assistance  
24          The Delaware County Board of Assistance  
25          The Elk County Board of Assistance  
26          The Erie County Board of Assistance  
27          The Fayette County Board of Assistance  
28          The Forest County Board of Assistance  
29          The Franklin County Board of Assistance  
30          The Fulton County Board of Assistance

1	The Greene County Board of Assistance
2	The Huntingdon County Board of Assistance
3	The Indiana County Board of Assistance
4	The Jefferson County Board of Assistance
5	The Juniata County Board of Assistance
6	The Lackawanna County Board of Assistance
7	The Lancaster County Board of Assistance
8	The Lawrence County Board of Assistance
9	The Lebanon County Board of Assistance
10	The Lehigh County Board of Assistance
11	The Luzerne County Board of Assistance
12	The Lycoming County Board of Assistance
13	The McKean County Board of Assistance
14	The Mercer County Board of Assistance
15	The Mifflin County Board of Assistance
16	The Monroe County Board of Assistance
17	The Montgomery County Board of Assistance
18	The Montour County Board of Assistance
19	The Northampton County Board of Assistance
20	The Perry County Board of Assistance
21	The Philadelphia County Board of Assistance
22	The Pike County Board of Assistance
23	The Potter County Board of Assistance
24	The Schuylkill County Board of Assistance
25	The Sullivan County Board of Assistance
26	The Susquehanna County Board of Assistance
27	The Tioga County Board of Assistance
28	The Union County Board of Assistance
29	The Venango County Board of Assistance
30	The Warren County Board of Assistance

1 The Washington County Board of Assistance  
2 The Wayne County Board of Assistance  
3 The Westmoreland County Board of Assistance  
4 The Wyoming County Board of Assistance  
5 The York County Board of Assistance  
6 The Advisory Committee for Public Assistance  
7 The State Board of Public Welfare  
8 (5) On July 1, 1982  
9 The Pennsylvania Labor Relations Board  
10 The Industrial Board  
11 The Pennsylvania Industrial Development Authority  
12 The Unemployment Compensation Board of Review  
13 The Workmen's Compensation Appeal Board  
14 The Industrialized Housing Advisory Commission  
15 The Advisory Board (Prevailing Wage Act)  
16 The Appeals Board (Prevailing Wage Act)  
17 The State Advisory Council (on Employment  
18 Compensation)  
19 The Board of Arbitration of Claims  
20 The State Planning Board  
21 The Pennsylvania Housing Finance Agency  
22 The Pennsylvania Minority Business Development  
23 Authority  
24 The Landlord and Tenants Task Force  
25 The Professional Standards and Practices Act  
26 The Governor's Business Advisory Council  
27 The Governor's Commission on Mortgage and Interest  
28 Rates  
29 The Advisory Committee on Standards  
30 The Environmental Quality Board

1 The Governor's Science Advisory Committee  
2 The State Farm Products Show Commission  
3 The Milk Marketing Board  
4 The Pennsylvania Fish Commission  
5 The Advisory Board for Boating  
6 The Pennsylvania Game Commission  
7 The State Board of Certification of Sewage Treatment  
8 Plant and Waterworks Operators  
9 The State Conservation Commission  
10 The Susquehanna River Basin Commission  
11 The Advisory Committee on Pennsylvania Solid Waste  
12 Management Act  
13 The Wheeling Creek Watershed Protection and Flood  
14 Prevention Commission  
15 The Governor's Energy Council  
16 The Governor's Land Inventory Committee  
17 The Weather Modification Board  
18 The Advisory Committee on Atomic Energy Development  
19 and Radiation Control  
20 The Governor's Fact Finding Committee, Shippinport  
21 Nuclear Power Station  
22 The Pennsylvania Public Utility Commission  
23 The Pesticide Advisory Board  
24 The Environmental Hearing Board  
25 The Pennsylvania Science and Engineering Foundation  
26 The Sewage Advisory Committee  
27 The Valley Forge Park Commission  
28 The Washington Crossing Park Commission  
29 The Bicentennial Commission of Pennsylvania  
30 The Commonwealth of Pennsylvania Council on the Arts

1           The State Art Commission  
2           The County Records Committee  
3           The Pennsylvania Historical and Museum Commission  
4           The Local Government Records Committee  
5           The Joint Committee on Documents  
6           The Pennsylvania Parkway Commission  
7       (6)   On July 1, 1983  
8           The Interstate Compact Commission for Education  
9           The Atlantic States Marine Fisheries Commission for  
10           the Commonwealth of Pennsylvania  
11           The Independence National Historical Park Advisory  
12           Commission  
13           The Pennsylvania Commission on Interstate Cooperation  
14           The Interstate Oil Compact Commission  
15           The Ohio River Basin Commission  
16           The Interstate Commission on the Potomac River Basin  
17           for the Commonwealth of Pennsylvania  
18           The Board of Commissioners on Uniform State Laws  
19           The Great Lakes Commission for the Commonwealth of  
20           Pennsylvania  
21           The Interstate Emergency Medical Services Task Force  
22           The Governor's Advisory Council on International  
23           Commerce  
24           The Ohio River Valley Water Sanitation Commission for  
25           the Commonwealth of Pennsylvania  
26           The Appalachian National Scenic Trail Advisory  
27           Council  
28           The Delaware River Joint Toll Bridge Commission  
29           The Delaware River Basin Commission  
30           The Delaware River Port Authority

1 The Advisory Council for Comprehensive Health  
2 Planning  
3 The Advisory Health Board  
4 The Task Force on Cancer Control  
5 The Pennsylvania Diabetes Institute  
6 The Commonwealth Developmental Disabilities Planning  
7 and Advisory Council  
8 The Governor's Committee Concerned with Diabetes and  
9 Blindness  
10 The Consumer Advisory Committee of Blue Cross of  
11 Greater Philadelphia  
12 The Pennsylvania Drug, Device and Cosmetic Board  
13 The State Athletic Commission  
14 The Medical Advisory Board to the State Athletic  
15 Commission  
16 The Pennsylvania Food Advisory Committee  
17 The Governor's Committee on Health Education in  
18 Pennsylvania  
19 The State Advisory Board on Health Care Costs  
20 The Governor's Task Force on Hypertension  
21 The Renal Disease Advisory Committee  
22 The Governor's Council on Drug and Alcohol Abuse  
23 The Governor's Advisory Committee on the Coal Miners  
24 Respiratory Disease and Rehabilitation Program  
25 The Governor's Task Force on Venereal Disease  
26 The Advisory Committee for the Blind  
27 The Governor's Study Commission on Capital Punishment  
28 The Advisory Committee on Probation  
29 The Pennsylvania Board of Probation and Parole  
30 The Governor's Justice Commission

1           The Board of Pardons  
2           The Pennsylvania Securities Commission  
3           The State Tax Equalization Board  
4           The Banking Board  
5           The Savings Association Board  
6           The Governor's Committee on Tax Reform  
7           The Governor's Task Force on Inflation and Economy  
8           The Pennsylvania Municipal Retirement Board  
9           The Special Task Force on State Pension Reform  
10          The State Employees' Retirement Board  
11          The Public School Employees' Retirement Board  
12          The Citizens' Advisory Council

13       (b) Any agency omitted for the above list would be subject  
14 to provisions of this act.

15       (c) The terms of officers and members of any reestablished  
16 or recreated boards, commissions or agencies shall not be  
17 altered in any manner whatsoever at the time of their  
18 reestablishment or recreation or at any other time.

19       (d) Reviews by the committee of reference in the General  
20 Assembly shall be completed at least three months before the  
21 expiration of the agency concerned.

22 Section 4. Terms of office for members of boards, councils,  
23           commissions and agencies.

24       Notwithstanding any law presently or hereafter enacted,  
25 except as to such boards, commissions, agencies or councils  
26 reestablished or recreated by act of assembly hereafter  
27 approved, the terms of all officers of any board, commission,  
28 council or agency shall end on the same date as the agency set  
29 forth in section 3.

30 Section 5. Limited continuation after termination.

1       Upon termination, each board, council, commission or agency  
2 shall continue in existence until July 1 of the next succeeding  
3 year for the purpose of winding up its affairs.

4       Termination shall not reduce or otherwise limit the powers or  
5 authority of each respective agency, board, council or  
6 commission. Upon the expiration of the one year after  
7 termination, each respective agency, board, council or  
8 commission shall cease all activities.

9       Section 6. Continuation or reestablishment of boards, councils,  
10                               commissions and agencies.

11       The life of any board, council, commission or agency  
12 scheduled for termination under this section may be continued or  
13 reestablished by the General Assembly for periods not to exceed  
14 six years.

15       Any newly created commission, board, council or agency shall  
16 have a life not to exceed six years and shall be subject to the  
17 provisions of this act.

18       Section 7. Performance audit.

19       The Legislative Budget and Finance Committee shall cause to  
20 be conducted a performance audit of each board, council,  
21 commission or agency scheduled for termination under this act.  
22 The performance audit shall be completed at least six months  
23 prior to the date established for an agency's termination. In  
24 conducting the audit, the Legislative Budget and Finance  
25 Committee shall take into consideration, but not be limited to  
26 considering the factors listed in section 8(b). Upon completion  
27 of the audit report, the Legislative Budget and Finance  
28 Committee shall hold a public hearing for purposes of review of  
29 the report. A copy of the report shall be made available to each  
30 member of the General Assembly.



1 Section 8. Committee hearings.

2 (a) Prior to the termination, continuation, or  
3 reestablishment of any such agency, a committee of reference in  
4 each House of the General Assembly shall hold a public hearing,  
5 receiving testimony from the public and the executive director  
6 of the agency involved, and in such a hearing the agency shall  
7 have the burden of demonstrating a viable public need for its  
8 continued existence and the extent to which a change in the type  
9 of transfer of the agency may increase the efficiency of  
10 administration or operation of the agency.

11 (b) In such hearings, the determination as to whether an  
12 agency, board, council or commission has proved a public need  
13 for its continued existence shall take into consideration the  
14 following factors, among others:

15 (1) the extent to which affirmative action requirements  
16 of State or Federal Government have been complied with by the  
17 agency, board, council or commission or the industry it  
18 regulates;

19 (2) the extent to which the agency, board, council or  
20 commission has operated in the most efficient manner;

21 (3) the extent to which the agency, board, council or  
22 commission has recommended statutory changes to the General  
23 Assembly which would benefit the public as opposed to the  
24 persons it regulates;

25 (4) the extent to which the agency, board, council or  
26 commission has required the persons it regulates to report to  
27 it concerning the impact of rules and decisions of the  
28 agency, board, council or commission on the public regarding  
29 improved service, economy of service, and availability of  
30 service;

1           (5) the extent to which persons regulated by the agency,  
2       board, council or commission have been required to assess  
3       problems in their industry which affect the public;

4           (6) the extent to which the agency, board, council or  
5       commission has encouraged participation by the public in  
6       making its rules and decisions as opposed to participation  
7       solely by the persons it regulates;

8           (7) the extent to which the agency, board, council or  
9       commission has expeditiously processed to completion  
10      complaints from the public concerning persons the agency,  
11      board, council or commission regulates, which complaints  
12      filed with the agency, board, council or commission; and

13          (8) the extent to which changes are necessary in the  
14      enabling laws of the agency, board, council or commission to  
15      adequately comply with the factors listed in this subsection.

16 Section 9. Legislation for continuation or reenactment.

17      No more than one such commission, board, council or agency  
18      shall be continued or reestablished in any bill and such  
19      commission, board, council or agency shall be mentioned in the  
20      bill's title.

21 Section 10. Causes of actions.

22      This act shall not cause the dismissal of any claim or right  
23      of a citizen against any such agency, board, council or  
24      commission or any claim or right of an agency, board, council or  
25      commission terminated pursuant to this act which is subject to  
26      litigation.

27 Section 11. Interstate compacts.

28      The General Assembly shall not terminate the existence or  
29      power of any agency which is created as a result of an  
30      interstate compact except in accordance with the provisions of

1 the compact for termination of membership.

2 Section 12. Bonds.

3 Whenever any agency is terminated pursuant to the provisions  
4 of this act, the Commonwealth shall assume full responsibility  
5 for the payment of any outstanding bonded indebtedness of the  
6 terminated agency.

7 Section 13. Effective date.

8 This act shall take effect immediately.