

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 962

Session of  
1979

INTRODUCED BY MESSRS. ALDEN, MILLER, POLITE AND GOEBEL,  
APRIL 2, 1979

AS AMENDED ON SECOND CONSIDERATION, IN SENATE,  
SEPTEMBER 29, 1980

~~AN ACT~~ A SUPPLEMENT

<—

1 ~~Amending~~ TO 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," ~~requiring all departments,~~ <—  
21 ~~boards, commissions or other agencies of the Commonwealth to~~  
22 ~~submit bid requests and specifications to the Bureau of~~  
23 ~~Correction of the Department of Justice.~~ IMPLEMENTING THE <—  
24 ADDITION OF SECTION 4.1 TO ARTICLE IV OF THE CONSTITUTION OF  
25 PENNSYLVANIA; ESTABLISHING THE OFFICE OF ATTORNEY GENERAL  
26 ELECTED BY THE CITIZENS AND SETTING FORTH POWERS AND DUTIES  
27 OF THE ATTORNEY GENERAL; CREATING AN OFFICE OF GENERAL  
28 COUNSEL AND PROVIDING FOR LEGAL SERVICES FOR COMMONWEALTH  
29 AGENCIES; TRANSFERRING, REORGANIZING OR RECONSTITUTING  
30 CERTAIN BOARDS, COMMISSIONS AND AGENCIES; PLACING CERTAIN  
31 DUTIES UPON THE COURTS AND DISTRICT ATTORNEYS; REPEALING  
32 CERTAIN ACTS AND PARTS OF ACTS AND MAKING APPROPRIATIONS.

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7 SECTION ~~508-509~~ 508. EFFECTIVE DATE. <—

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 ~~Section 1. Section 915, act of April 9, 1929 (P.L.177,~~ <—  
11 ~~No.175), known as "The Administrative Code of 1929," is amended~~  
12 ~~by adding a clause to read:~~

13 ~~Section 915. Inmate Labor. The Bureau of Correction shall~~  
14 ~~have the power and its duty shall be:~~

15 \* \* \*

16 ~~(c.1) Every administrative department, board, commission or~~  
17 ~~other agency of the Commonwealth, or a political subdivision~~  
18 ~~thereof, prior to purchasing goods, furniture, supplies or~~  
19 ~~equipment manufactured by the bureau, as published in the~~  
20 ~~Pennsylvania Bulletin, shall submit to the bureau the~~  
21 ~~invitations to bid together with bid specifications relating to~~  
22 ~~the item or items intended to be purchased. The Department of~~  
23 ~~General Services shall not award a purchase contract for items~~  
24 ~~of a type manufactured by the bureau unless the bureau has been~~  
25 ~~notified and invited to submit a bid. The intent of this clause~~  
26 ~~is to give the opportunity to the bureau to compete with other~~  
27 ~~manufacturers or suppliers.~~

28 ~~Section 2. This act shall take effect in 60 days.~~

29 CHAPTER 1

30 GENERAL PROVISIONS

1 SECTION 101. SHORT TITLE.

2 THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE "COMMONWEALTH  
3 ATTORNEYS ACT."

4 SECTION 102. DEFINITIONS.

5 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL  
6 HAVE, UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE, THE  
7 MEANINGS GIVEN TO THEM IN THIS SECTION:

8 "ACTION." ANY ACTION AT LAW OR IN EQUITY.

9 "COMMONWEALTH AGENCY." ANY EXECUTIVE AGENCY OR INDEPENDENT  
10 AGENCY.

11 "EXECUTIVE AGENCY." THE GOVERNOR AND THE DEPARTMENTS,  
12 BOARDS, COMMISSIONS, AUTHORITIES AND OTHER OFFICERS AND AGENCIES  
13 OF THE COMMONWEALTH GOVERNMENT, BUT THE TERM DOES NOT INCLUDE  
14 ANY COURT OR OTHER OFFICER OR AGENCY OF THE UNIFIED JUDICIAL  
15 SYSTEM, THE GENERAL ASSEMBLY AND ITS OFFICERS AND AGENCIES, OR  
16 ANY INDEPENDENT AGENCY.

17 "INDEPENDENT AGENCY." THE DEPARTMENT OF THE ATTORNEY  
18 GENERAL, THE PENNSYLVANIA FISH COMMISSION, THE PENNSYLVANIA GAME  
19 COMMISSION, THE HISTORICAL AND MUSEUM COMMISSION, THE STATE  
20 CIVIL SERVICE COMMISSION, THE PENNSYLVANIA TURNPIKE COMMISSION,  
21 THE MILK MARKETING BOARD, THE PENNSYLVANIA LIQUOR CONTROL BOARD,  
22 THE PENNSYLVANIA HUMAN RELATIONS COMMISSION, THE PENNSYLVANIA  
23 LABOR RELATIONS BOARD, THE PENNSYLVANIA SECURITIES COMMISSION,  
24 THE STATE TAX EQUALIZATION BOARD, PENNSYLVANIA HIGHER EDUCATION  
25 ASSISTANCE AGENCY, THE PENNSYLVANIA CRIME COMMISSION, AND THE  
26 STATE ETHICS COMMISSION. EXCEPT FOR THE PROVISIONS OF SECTION  
27 204(B) AND (F), AND FOR ACTIONS PURSUANT TO 42 PA.C.S. § 5110  
28 (RELATING TO LIMITED WAIVER OF SOVEREIGN IMMUNITY), FOR THE  
29 PURPOSES OF THIS ACT THE DEPARTMENT OF THE AUDITOR GENERAL,  
30 INCLUDING THE BOARD OF CLAIMS, STATE TREASURY AND THE

1 ~~PENNSYLVANIA~~ PUBLIC UTILITY COMMISSION SHALL NOT BE CONSIDERED <—  
2 EITHER EXECUTIVE AGENCIES OR INDEPENDENT AGENCIES.

3 "MATTER." ACTION, PROCEEDING OR APPEAL.

4 SECTION 103. STANDING TO QUESTION LEGAL REPRESENTATION.

5 NO PARTY TO AN ACTION, OTHER THAN A COMMONWEALTH AGENCY  
6 INCLUDING THE DEPARTMENTS OF AUDITOR GENERAL AND STATE TREASURY  
7 AND THE PUBLIC UTILITY COMMISSION, SHALL HAVE STANDING TO <—  
8 QUESTION THE AUTHORITY OF THE LEGAL REPRESENTATION OF THE  
9 AGENCY.

10 CHAPTER 2

11 OFFICE OF ATTORNEY GENERAL

12 SECTION 201. ESTABLISHED AS AN INDEPENDENT DEPARTMENT.

13 (A) GENERAL PROVISIONS.--THE OFFICE OF ATTORNEY GENERAL  
14 SHALL BE AN INDEPENDENT DEPARTMENT AND SHALL BE HEADED BY THE  
15 ATTORNEY GENERAL. THE ATTORNEY GENERAL SHALL EXERCISE SUCH  
16 POWERS AND PERFORM SUCH DUTIES AS ARE HEREINAFTER SET FORTH. AS  
17 AN INDEPENDENT ADMINISTRATIVE DEPARTMENT THE OFFICE OF ATTORNEY  
18 GENERAL SHALL BE SUBJECT TO THE SAME LIMITATIONS CONTAINED IN  
19 THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS "THE  
20 ADMINISTRATIVE CODE OF 1929," AND ALL OTHER ACTS AS ARE  
21 APPLICABLE TO THE INDEPENDENT DEPARTMENT OF AUDITOR GENERAL OR  
22 STATE TREASURY.

23 (B) CONSUMER ADVOCATE.--THE ATTORNEY GENERAL SHALL APPOINT A  
24 CONSUMER ADVOCATE WHICH APPOINTMENT SHALL BE SUBJECT TO THE  
25 APPROVAL OF A MAJORITY OF THE MEMBERS ELECTED TO THE SENATE. THE  
26 CONSUMER ADVOCATE SHALL PERFORM THE DUTIES AND HAVE THE POWERS  
27 SET FORTH IN ARTICLE IX-A OF "THE ADMINISTRATIVE CODE OF 1929."

28 (C) BUREAUS, DIVISIONS AND PERSONNEL.--THE ATTORNEY GENERAL  
29 SHALL APPOINT AND FIX THE COMPENSATION OF A FIRST DEPUTY  
30 ATTORNEY GENERAL, A DIRECTOR OF THE BUREAU OF CONSUMER

1 PROTECTION AND SUCH OTHER DEPUTIES, OFFICERS AND EMPLOYEES WHO  
2 MAY, AT ANY TIME, EXERCISE SUCH POWERS AND PERFORM SUCH DUTIES  
3 AS MAY BE PRESCRIBED BY THE ATTORNEY GENERAL. THE ATTORNEY  
4 GENERAL MAY ESTABLISH SUCH BUREAUS OR DIVISIONS AS MAY BE  
5 REQUIRED FOR THE PROPER CONDUCT OF THE OFFICE, INCLUDING A  
6 CRIMINAL INVESTIGATION BUREAU.

7 SECTION 202. VACANCY IN OFFICE.

8 IN THE EVENT OF A VACANCY IN THE POSITION OF ATTORNEY  
9 GENERAL, THE GOVERNOR SHALL NOMINATE, IN ACCORDANCE WITH THE  
10 PROVISIONS OF THE CONSTITUTION OF PENNSYLVANIA AND, BY AND WITH  
11 THE ADVICE AND CONSENT OF TWO-THIRDS OF THE MEMBERS ELECTED TO  
12 THE SENATE, APPOINT A PERSON TO FILL THE POSITION FOR THE  
13 BALANCE OF THE UNEXPIRED TERM OF THE ATTORNEY GENERAL. WHENEVER  
14 THERE SHALL BE A VACANCY IN THE POSITION OF ATTORNEY GENERAL,  
15 THE FIRST DEPUTY SHALL EXERCISE THE POWERS AND PERFORM THE  
16 DUTIES OF THE ATTORNEY GENERAL UNTIL THE VACANCY IS FILLED.

17 SECTION 203. SALARY.

18 THE ATTORNEY GENERAL SHALL RECEIVE A SALARY WHICH SHALL BE  
19 ~~\$64,500.~~ \$55,000. <—

20 SECTION 204. LEGAL ADVICE AND CIVIL MATTERS.

21 (A) LEGAL ADVICE.--

22 (1) UPON THE REQUEST OF THE GOVERNOR OR THE HEAD OF ANY  
23 COMMONWEALTH AGENCY, THE ATTORNEY GENERAL SHALL FURNISH LEGAL  
24 ADVICE CONCERNING ANY MATTER OR ISSUE ARISING IN CONNECTION  
25 WITH THE EXERCISE OF THE OFFICIAL POWERS OR THE PERFORMANCE  
26 OF THE OFFICIAL DUTIES OF THE GOVERNOR OR AGENCY. THE  
27 GOVERNOR MAY REQUEST THE ADVICE OF THE ATTORNEY GENERAL  
28 CONCERNING THE CONSTITUTIONALITY OF LEGISLATION PRESENTED TO  
29 HIM FOR APPROVAL IN ORDER TO AID HIM IN THE EXERCISE OF HIS  
30 APPROVAL AND VETO POWERS AND THE ADVICE, IF GIVEN, SHALL NOT

1 BE BINDING UPON THE GOVERNOR. IN ALL OTHER CASES THE ADVICE  
2 WHEN RECEIVED SHALL BE FOLLOWED AND, WHEN FOLLOWED, THE  
3 RECIPIENT SHALL NOT IN ANY WAY BE LIABLE FOR DOING SO, UPON  
4 HIS OFFICIAL BOND OR OTHERWISE.

5 (2) IF THE GOVERNOR OR THE HEAD OF ANY COMMONWEALTH  
6 AGENCY DISAGREES WITH THE LEGAL ADVICE RENDERED BY THE  
7 ATTORNEY GENERAL, THE GOVERNOR OR THE HEAD OF THE  
8 COMMONWEALTH AGENCY MAY SEEK A DECLARATORY JUDGMENT IN THE  
9 COMMONWEALTH COURT PURSUANT TO 42 PA.C.S. CH.75 SUBCH. C  
10 (RELATING TO DECLARATORY JUDGMENTS). THE LEGAL ADVICE OF THE  
11 ATTORNEY GENERAL SHALL BE BINDING UNTIL THE COMMONWEALTH  
12 COURT ISSUES A FINAL ORDER ON THE PETITION REQUESTING THE  
13 DECLARATORY JUDGMENT.

14 (3) IT SHALL BE THE DUTY OF THE ATTORNEY GENERAL TO  
15 UPHOLD AND DEFEND THE CONSTITUTIONALITY OF ALL STATUTES SO AS  
16 TO PREVENT THEIR SUSPENSION OR ABROGATION IN THE ABSENCE OF A  
17 CONTROLLING DECISION BY A COURT OF COMPETENT JURISDICTION.

18 (4) BEFORE THE ATTORNEY GENERAL SHALL RENDER ANY OPINION  
19 INTERPRETING ANY APPROPRIATION ACT, OR ANY ACT AUTHORIZING  
20 THE EXPENDITURE OF MONEY, HE SHALL NOTIFY THE DEPARTMENTS OF  
21 THE AUDITOR GENERAL, ~~AND~~ THE STATE TREASURY AND THE SECRETARY ←  
22 OF BUDGET AND ADMINISTRATION OF THE QUESTION UPON WHICH HIS  
23 OPINION HAS BEEN REQUESTED, AND AFFORD TO THESE DEPARTMENTS  
24 AN OPPORTUNITY TO PRESENT ANY VIEWS WHICH THEY MAY HAVE UPON  
25 SUCH QUESTION.

26 (B) COMMONWEALTH AGENCIES; RULES AND REGULATIONS.--THE  
27 ATTORNEY GENERAL SHALL REVIEW FOR FORM AND LEGALITY, ALL  
28 PROPOSED RULES AND REGULATIONS OF COMMONWEALTH AGENCIES BEFORE  
29 THEY ARE DEPOSITED WITH THE LEGISLATIVE REFERENCE BUREAU AS  
30 REQUIRED BY SECTION 207 OF THE ACT OF JULY 31, 1968 (P.L.769,

1 NO.240), KNOWN AS THE "COMMONWEALTH DOCUMENTS LAW." IF THE  
2 ATTORNEY GENERAL DETERMINES THAT A RULE OR REGULATION IS IN  
3 IMPROPER FORM, NOT STATUTORILY AUTHORIZED OR UNCONSTITUTIONAL,  
4 HE SHALL NOTIFY IN WRITING WITHIN 30 DAYS AFTER SUBMISSION THE <—  
5 AGENCY AFFECTED, THE OFFICE OF GENERAL COUNSEL, AND THE GENERAL  
6 ASSEMBLY THROUGH THE OFFICES OF THE SECRETARY OF THE SENATE AND  
7 THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES OF THE REASONS  
8 FOR THE DETERMINATION. THE COMMONWEALTH AGENCY MAY REVISE A RULE  
9 OR REGULATION TO MEET THE OBJECTIONS OF THE ATTORNEY GENERAL AND  
10 SUBMIT THE REVISED VERSION FOR HIS REVIEW. SHOULD THE AGENCY  
11 DISAGREE WITH THE OBJECTION, IT MAY PROMULGATE THE RULE OR  
12 REGULATION WITH OR WITHOUT REVISIONS AND SHALL PUBLISH WITH IT A <—  
13 COPY OF THE ATTORNEY GENERAL'S OBJECTIONS. THE ATTORNEY GENERAL  
14 MAY APPEAL THE DECISION OF THE AGENCY BY FILING A PETITION FOR  
15 REVIEW WITH THE COMMONWEALTH COURT IN SUCH MANNER AS IS PROVIDED  
16 FOR APPEALS FROM FINAL ORDERS OF GOVERNMENT AGENCIES PURSUANT TO  
17 42 PA.C.S. § 763 (RELATING TO DIRECT APPEALS FROM GOVERNMENT  
18 AGENCIES) AND MAY INCLUDE IN THE PETITION A REQUEST FOR A STAY  
19 OR SUPERSEDEAS OF THE IMPLEMENTATION OF THE RULE OR REGULATION  
20 WHICH UPON A PROPER SHOWING SHALL BE GRANTED. IF A RULE OR  
21 REGULATION HAS BEEN SUBMITTED TO THE ATTORNEY GENERAL AND HE HAS  
22 NOT APPROVED IT OR OBJECTED TO IT WITHIN 30 DAYS AFTER  
23 SUBMISSION, THE RULE OR REGULATION SHALL BE DEEMED TO HAVE BEEN  
24 APPROVED.

25 (C) CIVIL LITIGATION; COLLECTION OF DEBTS.--THE ATTORNEY  
26 GENERAL SHALL REPRESENT THE COMMONWEALTH AND ALL COMMONWEALTH  
27 AGENCIES AND UPON REQUEST, THE DEPARTMENTS OF AUDITOR GENERAL  
28 AND STATE TREASURY AND THE PUBLIC UTILITY COMMISSION IN ANY <—  
29 ACTION BROUGHT BY OR AGAINST THE COMMONWEALTH OR ITS AGENCIES,  
30 AND MAY INTERVENE IN ANY OTHER ACTION, INCLUDING THOSE INVOLVING



1 CHARITABLE BEQUESTS AND TRUSTS OR THE CONSTITUTIONALITY OF ANY  
2 STATUTE. THE ATTORNEY GENERAL SHALL REPRESENT THE COMMONWEALTH  
3 AND ITS CITIZENS IN ANY ACTION BROUGHT FOR VIOLATION OF THE  
4 ANTITRUST LAWS OF THE UNITED STATES AND THE COMMONWEALTH. THE  
5 ATTORNEY GENERAL SHALL COLLECT, BY SUIT OR OTHERWISE, ALL DEBTS,  
6 TAXES AND ACCOUNTS DUE THE COMMONWEALTH WHICH SHALL BE REFERRED  
7 TO AND PLACED WITH THE ATTORNEY GENERAL FOR COLLECTION BY ANY  
8 COMMONWEALTH AGENCY; THE ATTORNEY GENERAL SHALL KEEP A PROPER  
9 DOCKET OR DOCKETS, DULY INDEXED, OF ALL SUCH CLAIMS, SHOWING  
10 WHETHER THEY ARE IN LITIGATION AND THEIR NATURE AND CONDITION.  
11 THE ATTORNEY GENERAL MAY, UPON DETERMINING THAT IT IS MORE  
12 EFFICIENT OR OTHERWISE IS IN THE BEST INTEREST OF THE  
13 COMMONWEALTH, AUTHORIZE THE GENERAL COUNSEL OR THE COUNSEL FOR  
14 AN INDEPENDENT AGENCY TO INITIATE, CONDUCT OR DEFEND ANY  
15 PARTICULAR LITIGATION OR CATEGORY OF LITIGATION IN HIS STEAD.  
16 THE ATTORNEY GENERAL SHALL APPROVE ALL SETTLEMENTS OVER SUCH  
17 MAXIMUM AMOUNTS AS HE SHALL DETERMINE ARISING OUT OF CLAIMS  
18 BROUGHT AGAINST THE COMMONWEALTH PURSUANT TO 42 PA.C.S. § 5110.

19 (D) ADMINISTRATION OF CONSUMER AFFAIRS PROGRAMS.--THE  
20 ATTORNEY GENERAL SHALL ADMINISTER THE PROVISIONS RELATING TO  
21 CONSUMER PROTECTION SET FORTH IN SECTIONS 917 THROUGH 922 OF THE  
22 ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS "THE  
23 ADMINISTRATIVE CODE OF 1929," AND APPOINT THE ADVISORY COMMITTEE  
24 ESTABLISHED UNDER SECTION 922.

25 (E) LIMITATIONS IN CIVIL LITIGATIONS.--THE ATTORNEY GENERAL  
26 SHALL NOT AGREE TO THE ENTRY OF A CONSENT DECREE IN ANY ACTION  
27 AGAINST THE COMMONWEALTH OR ANY AGENCY WITHOUT THE APPROVAL OF  
28 THE GOVERNOR AND NOTICE TO THE GENERAL ASSEMBLY THROUGH THE  
29 OFFICES OF THE SECRETARY OF THE SENATE AND THE CHIEF CLERK OF  
30 THE HOUSE OF REPRESENTATIVES.

1 (F) DEEDS, LEASES, CONTRACTS AND FIDELITY BONDS.--THE  
2 ATTORNEY GENERAL SHALL REVIEW FOR FORM AND LEGALITY, ALL  
3 COMMONWEALTH DEEDS, LEASES AND CONTRACTS TO BE EXECUTED BY  
4 COMMONWEALTH AGENCIES; IF THE ATTORNEY GENERAL DETERMINES THAT A  
5 DEED, LEASE, OR CONTRACT IS IN IMPROPER FORM, NOT STATUTORILY  
6 AUTHORIZED OR UNCONSTITUTIONAL, HE SHALL NOTIFY IN WRITING <—  
7 WITHIN 30 DAYS AFTER ITS SUBMISSION THE AGENCY AFFECTED, THE  
8 OFFICES OF GENERAL COUNSEL AND THE GENERAL ASSEMBLY ~~AND THE~~ <—  
9 ~~PROCEDURES SET FORTH IN SUBSECTION (B) SHALL APPLY.~~ THROUGH THE <—  
10 OFFICES OF THE SECRETARY OF THE SENATE AND THE CHIEF CLERK OF  
11 THE HOUSE OF REPRESENTATIVES. THE AGENCY MAY REWRITE THE DEED, <—  
12 LEASE OR CONTRACT TO MEET THE OBJECTIONS OF THE ATTORNEY  
13 GENERAL. IF THE AGENCY DISAGREES WITH THE OBJECTION OF THE  
14 ATTORNEY GENERAL, IT MAY APPEAL THE DECISION OF THE ATTORNEY  
15 GENERAL BY FILING A PETITION FOR REVIEW WITH THE COMMONWEALTH  
16 COURT IN SUCH MANNER AS IS PROVIDED FOR APPEALS FROM FINAL  
17 ORDERS OF GOVERNMENT AGENCIES PURSUANT TO 42 PA.C.S. § 763  
18 (RELATING TO DIRECT APPEALS FROM GOVERNMENT AGENCIES). IF AN  
19 INSTRUMENT HAS BEEN SUBMITTED TO THE ATTORNEY GENERAL AND HE HAS  
20 NOT APPROVED IT OR SUBMITTED HIS OBJECTION WITHIN 30 DAYS AFTER  
21 SUBMISSION, THE INSTRUMENT SHALL BE DEEMED TO HAVE BEEN  
22 APPROVED; THE ATTORNEY GENERAL MAY PREPARE UNIFORM INSTRUMENT  
23 FORMS AND PREAPPROVE ALL SUCH DOCUMENTS WHICH ARE PREPARED IN  
24 ACCORDANCE WITH SUCH FORMS AND APPLICABLE INSTRUCTIONS. THE  
25 ATTORNEY GENERAL SHALL LIKEWISE CONTINUE TO APPROVE ALL  
26 FIDELITY, SURETY, PERFORMANCE AND SIMILAR BONDS AS REQUIRED BY  
27 LAW TO BE SUBMITTED TO THE ATTORNEY GENERAL OR THE FORMER  
28 DEPARTMENT OF JUSTICE.  
29 SECTION 205. CRIMINAL PROSECUTIONS.

30 (A) PROSECUTIONS.--THE ATTORNEY GENERAL SHALL HAVE THE POWER

1 TO PROSECUTE IN ANY COUNTY CRIMINAL COURT THE FOLLOWING CASES:

2 (1) CRIMINAL CHARGES AGAINST STATE OFFICIALS OR  
3 EMPLOYEES AFFECTING THE PERFORMANCE OF THEIR PUBLIC DUTIES OR  
4 THE MAINTENANCE OF THE PUBLIC TRUST AND CRIMINAL CHARGES  
5 AGAINST PERSONS ATTEMPTING TO INFLUENCE SUCH STATE OFFICIALS  
6 OR EMPLOYEES OR BENEFIT FROM SUCH INFLUENCE OR ATTEMPT TO  
7 INFLUENCE.

8 (2) CRIMINAL CHARGES INVOLVING CORRUPT ORGANIZATIONS AS  
9 PROVIDED FOR IN 18 PA.C.S. § 911 (RELATING TO CORRUPT  
10 ORGANIZATIONS).

11 (3) UPON THE REQUEST OF A DISTRICT ATTORNEY WHO LACKS  
12 THE RESOURCES TO CONDUCT AN ADEQUATE INVESTIGATION OR THE  
13 PROSECUTION OF THE CRIMINAL CASE OR MATTER OR WHO REPRESENTS  
14 THAT THERE IS THE POTENTIAL FOR AN ACTUAL OR APPARENT  
15 CONFLICT OF INTEREST ON THE PART OF THE DISTRICT ATTORNEY OR  
16 HIS OFFICE.

17 (4) THE ATTORNEY GENERAL MAY PETITION THE COURT HAVING  
18 JURISDICTION OVER ANY CRIMINAL PROCEEDING TO PERMIT THE  
19 ATTORNEY GENERAL TO SUPERSEDE THE DISTRICT ATTORNEY IN ORDER  
20 TO PROSECUTE A CRIMINAL ACTION OR TO INSTITUTE CRIMINAL  
21 PROCEEDINGS. UPON THE FILING OF THE PETITION, THE PRESIDENT  
22 JUDGE SHALL REQUEST THE SUPREME COURT TO ASSIGN A JUDGE TO  
23 HEAR THE MATTER. THE JUDGE ASSIGNED SHALL HEAR THE MATTER  
24 WITHIN 30 DAYS AFTER APPOINTMENT AND MAKE A DETERMINATION AS  
25 TO WHETHER TO ALLOW SUPERSESION WITHIN 60 DAYS AFTER THE  
26 HEARING. THE DISTRICT ATTORNEY SHALL BE GIVEN NOTICE OF THE  
27 HEARING AND MAY APPEAR AND OPPOSE THE GRANTING OF THE  
28 PETITION. SUPERSESION SHALL BE ORDERED IF THE ATTORNEY  
29 GENERAL ESTABLISHES BY A PREPONDERANCE OF THE EVIDENCE THAT  
30 THE DISTRICT ATTORNEY HAS FAILED OR REFUSED TO PROSECUTE AND

1 SUCH FAILURE OR REFUSAL CONSTITUTES ABUSE OF DISCRETION.  
2 EITHER PARTY MAY APPEAL TO THE SUPREME COURT WHICH APPEAL  
3 SHALL BE HEARD AND DETERMINED WITHIN 45 DAYS AFTER FILING.

4 (5) WHEN THE PRESIDENT JUDGE IN THE DISTRICT HAVING  
5 JURISDICTION OF ANY CRIMINAL PROCEEDING HAS REASON TO BELIEVE  
6 THAT THE CASE IS A PROPER ONE FOR THE INTERVENTION OF THE  
7 COMMONWEALTH, HE SHALL REQUEST THE ATTORNEY GENERAL TO  
8 REPRESENT THE COMMONWEALTH IN THE PROCEEDING AND TO  
9 INVESTIGATE CHARGES AND PROSECUTE THE DEFENDANT. IF THE  
10 ATTORNEY GENERAL AGREES THAT THE CASE IS A PROPER ONE FOR  
11 INTERVENTION, HE SHALL FILE A PETITION WITH THE COURT AND  
12 PROCEED AS PROVIDED IN PARAGRAPH (4). IF THE ATTORNEY GENERAL  
13 DETERMINES THAT THE CASE IS NOT A PROPER CASE FOR  
14 INTERVENTION, HE SHALL NOTIFY THE PRESIDENT JUDGE  
15 ACCORDINGLY.

16 (6) CRIMINAL CHARGES INVESTIGATED BY AND REFERRED TO HIM  
17 BY A COMMONWEALTH AGENCY ARISING OUT OF ENFORCEMENT  
18 PROVISIONS OF THE STATUTE CHARGING THE AGENCY WITH A DUTY TO  
19 ENFORCE ITS PROVISION.

20 (7) INDICTMENTS RETURNED BY AN INVESTIGATING GRAND JURY  
21 OBTAINED BY THE ATTORNEY GENERAL.

22 (8) CRIMINAL CHARGES ARISING OUT OF ACTIVITIES OF THE  
23 STATE MEDICAID FRAUD CONTROL UNIT AS AUTHORIZED BY ARTICLE  
24 XIV (RELATING TO FRAUD AND ABUSE CONTROL), ACT OF JUNE 13,  
25 1967 (P.L.31, NO.21), KNOWN AS THE "PUBLIC WELFARE CODE," AND  
26 THE FEDERAL LAW KNOWN AS THE "MEDICARE-MEDICAID ANTIFRAUD AND  
27 ABUSE AMENDMENTS."

28 (B) CONCURRENT JURISDICTION TO PROSECUTE.--THE ATTORNEY  
29 GENERAL SHALL HAVE THE CONCURRENT PROSECUTORIAL JURISDICTION  
30 WITH THE DISTRICT ATTORNEY FOR CASES ARISING UNDER SUBSECTION

1 (A)(1), (2) AND (6) AND MAY REFER TO THE DISTRICT ATTORNEY WITH  
2 HIS CONSENT ANY VIOLATION OR ALLEGED VIOLATION OF THE CRIMINAL  
3 LAWS OF THE COMMONWEALTH WHICH MAY COME TO HIS NOTICE.

4 (C) CRIMINAL APPEALS.--IN ANY CRIMINAL ACTION IN WHICH THERE  
5 IS AN APPEAL, THE ATTORNEY GENERAL MAY IN HIS DISCRETION, UPON  
6 THE REQUEST OF THE DISTRICT ATTORNEY, PROSECUTE THE APPEAL; HE  
7 MAY INTERVENE IN SUCH OTHER APPEALS AS PROVIDED BY LAW OR RULES  
8 OF COURT.

9 (D) POWERS WHEN PROSECUTING.--WHENEVER THE ATTORNEY GENERAL  
10 PROSECUTES A CRIMINAL ACTION, OR APPEAL, HE MAY EMPLOY SUCH  
11 SPECIAL DEPUTIES AS ARE NECESSARY FOR THAT PURPOSE; SUCH  
12 DEPUTIES SHALL TAKE THE OATH OF OFFICE AND BE CLOTHED WITH ALL  
13 THE POWERS, AND SUBJECT TO ALL THE LIABILITIES IMPOSED BY LAW  
14 UPON DISTRICT ATTORNEYS, INCLUDING THE POWER TO SIGN  
15 INFORMATIONS OR INDICTMENTS. WHENEVER THE ATTORNEY GENERAL  
16 INTERVENES IN A CRIMINAL ACTION, THE COSTS INCURRED AS A RESULT  
17 OF THE INTERVENTION SHALL BE PAID BY THE COMMONWEALTH.

18 SECTION 206. LAW ENFORCEMENT AND CRIMINAL INVESTIGATIONS;  
19 INVESTIGATING GRAND JURIES.

20 (A) LAW ENFORCEMENT; CRIMINAL INVESTIGATIONS.--THE ATTORNEY  
21 GENERAL SHALL BE THE CHIEF LAW ENFORCEMENT OFFICER OF THE  
22 COMMONWEALTH; THE DISTRICT ATTORNEY SHALL BE THE CHIEF LAW  
23 ENFORCEMENT OFFICER FOR THE COUNTY IN WHICH HE IS ELECTED. THE  
24 ATTORNEY GENERAL SHALL HAVE THE POWER TO INVESTIGATE ANY  
25 CRIMINAL OFFENSE WHICH HE HAS THE POWER TO PROSECUTE UNDER  
26 SECTION 205; HE SHALL CONTINUE THE EXISTING PROGRAMS RELATING TO  
27 DRUG LAW ENFORCEMENT. THE PENNSYLVANIA STATE POLICE SHALL  
28 COOPERATE WITH THE ATTORNEY GENERAL AND FURNISH SUCH SERVICES AS  
29 THE ATTORNEY GENERAL SHALL REQUEST.

30 (B) INVESTIGATING GRAND JURIES.--THE ATTORNEY GENERAL SHALL

1 CONVENE AND CONDUCT INVESTIGATING GRAND JURIES AS PROVIDED IN  
2 THE ACT OF NOVEMBER 22, 1978 (P.L.1148, NO.271), KNOWN AS THE  
3 "INVESTIGATING GRAND JURY ACT."

4 SECTION 207. MEMBERSHIP ON AGENCIES.

5 THE ATTORNEY GENERAL SHALL SERVE AS A MEMBER OF THE BOARD OF  
6 PARDONS AND HE, OR HIS DESIGNATED DEPUTY, SHALL SERVE AS A  
7 MEMBER OF THE JOINT COMMITTEE ON DOCUMENTS, THE HAZARDOUS  
8 SUBSTANCES TRANSPORTATION BOARD, THE BOARD OF FINANCE AND  
9 REVENUE, THE PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY,  
10 THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY, THE CIVIL DISORDER  
11 COMMISSION AND THE MUNICIPAL POLICE, ~~AFFAIRS~~, OFFICERS EDUCATION <—  
12 AND TRAINING COMMISSION.

13 SECTION 208. ACCESS TO BOOKS AND PAPERS.

14 THE OFFICE OF ATTORNEY GENERAL SHALL HAVE THE RIGHT TO ACCESS  
15 AT ALL TIMES TO THE BOOKS AND PAPERS OF ANY COMMONWEALTH AGENCY  
16 NECESSARY TO CARRY OUT HIS DUTIES UNDER THIS ACT.

17 CHAPTER 3

18 OFFICE OF GENERAL COUNSEL

19 SECTION 301. GENERAL COUNSEL.

20 THERE IS HEREBY ESTABLISHED THE OFFICE OF GENERAL COUNSEL  
21 WHICH SHALL BE HEADED BY A GENERAL COUNSEL APPOINTED BY THE <—  
22 GOVERNOR TO SERVE AT HIS PLEASURE WHO SHALL BE THE LEGAL ADVISOR  
23 TO THE GOVERNOR AND WHO SHALL: <—

24 (1) APPOINT DEPUTY GENERAL COUNSEL, AND APPOINT FOR THE  
25 OPERATION OF EACH EXECUTIVE AGENCY SUCH CHIEF COUNSEL AND  
26 ASSISTANT COUNSEL AS ARE NECESSARY FOR THE OPERATION OF EACH  
27 EXECUTIVE AGENCY.

28 (2) SUPERVISE, COORDINATE AND ADMINISTER THE LEGAL  
29 SERVICES PROVIDED BY THE DEPUTY GENERAL COUNSEL, AND THE  
30 CHIEF COUNSEL AND ASSISTANT COUNSEL FOR EACH EXECUTIVE

1 AGENCY.

2 (3) RENDER SUCH LEGAL ADVICE, AND SUCH REPRESENTATION  
3 PRIOR TO INITIATION OF ANY ACTION, AS ARE REQUIRED CONCERNING  
4 EVERY MATTER AND ISSUE ARISING IN CONNECTION WITH THE  
5 EXERCISE OF THE OFFICIAL POWERS AND DUTIES, AND PERFORMANCE  
6 THEREOF, IN THE OPERATION OF SUCH EXECUTIVE AGENCY AND, UPON  
7 REQUEST, EACH INDEPENDENT AGENCY.

8 (4) UPON REQUEST, ASSIST AND COOPERATE FULLY WITH THE  
9 ATTORNEY GENERAL AND THE COUNSEL OF EACH INDEPENDENT AGENCY  
10 IN THE FURTHERANCE OF THE PERFORMANCE OF THEIR DUTIES.

11 (5) UNTIL OTHERWISE PROVIDED BY LAW, SERVE AS CHIEF  
12 ADMINISTRATIVE OFFICER OF THE FOLLOWING AGENCIES WHICH ARE  
13 HEREBY PLACED AND MADE ADMINISTRATIVE AGENCIES OF THE OFFICE  
14 OF GENERAL COUNSEL:

15 (I) THE BUREAU OF CORRECTION ESTABLISHED UNDER  
16 SECTIONS 911, 912, 913, 914, 914.1, 915 AND 916 OF THE  
17 ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS "THE  
18 ADMINISTRATIVE CODE OF 1929."

19 (II) THE JUVENILE COURT JUDGES' COMMISSION  
20 ESTABLISHED UNDER SECTIONS 905.1 AND 905.2 OF "THE  
21 ADMINISTRATIVE CODE OF 1929," AND THE ACT OF DECEMBER 21,  
22 1959 (P.L.1962, NO.717), ENTITLED "AN ACT PROVIDING FOR  
23 THE CREATION AND OPERATION OF THE JUVENILE COURT JUDGES'  
24 COMMISSION IN THE DEPARTMENT OF JUSTICE; PRESCRIBING ITS  
25 POWERS AND DUTIES; AND MAKING AN APPROPRIATION."

26 (III) THE ADMINISTRATOR AND THE OFFICE OF  
27 ADMINISTRATOR FOR ARBITRATION PANELS FOR HEALTH CARE  
28 ESTABLISHED UNDER SECTION 301 OF THE ACT OF OCTOBER 15,  
29 1975 (P.L.390, NO.111), KNOWN AS THE "HEALTH CARE  
30 SERVICES MALPRACTICE ACT."

1 (IV) THE CRIME VICTIM'S COMPENSATION BOARD  
2 ESTABLISHED UNDER SECTIONS 477.6, 477.7 AND 477.12 OF  
3 "THE ADMINISTRATIVE CODE OF 1929."

4 (V) THE BOARD OF COMMISSIONERS ON UNIFORM STATE LAWS  
5 ESTABLISHED UNDER SECTION 404 OF "THE ADMINISTRATIVE CODE  
6 OF 1929."

7 (VI) THE STATE HEALTH FACILITY HEARING BOARD  
8 ESTABLISHED UNDER SECTIONS 501, 502, 503, 504, 505, 506  
9 AND 507 OF THE ACT OF JULY 19, 1979 (P.L.130, NO.48),  
10 KNOWN AS THE "HEALTH CARE FACILITIES ACT."

11 (6) INITIATE APPROPRIATE PROCEEDINGS OR DEFEND THE  
12 COMMONWEALTH OR ANY EXECUTIVE AGENCY WHEN AN ACTION OR MATTER  
13 HAS BEEN REFERRED TO THE ATTORNEY GENERAL AND THE ATTORNEY  
14 GENERAL REFUSES OR FAILS TO INITIATE APPROPRIATE PROCEEDINGS  
15 OR DEFEND THE COMMONWEALTH OR EXECUTIVE AGENCY; AND

16 (7) REPRESENT THE GOVERNOR OR THE EXECUTIVE AGENCY IF  
17 THE ATTORNEY GENERAL HAS INITIATED LITIGATION AGAINST HIM OR  
18 IT.

19 (8) UPON THE REQUEST OF THE GOVERNOR, APPEAL ANY  
20 DECISIONS ADVERSE TO AN EXECUTIVE AGENCY RENDERED BY THE  
21 ATTORNEY GENERAL UNDER SECTION 204(F).

22 (9) ISSUE SUCH RULES, GUIDELINES, STANDARDS AND  
23 REGULATIONS AS ARE NECESSARY TO CARRY OUT THE DUTIES OF THE  
24 GENERAL COUNSEL PROVIDED FOR IN THIS ACT.

25 (10) REVIEW AND APPROVE FOR FORM AND LEGALITY ALL  
26 PROPOSED RULES AND REGULATIONS OF EXECUTIVE AGENCIES BEFORE  
27 THEY ARE DEPOSITED WITH THE LEGISLATIVE REFERENCE BUREAU AS  
28 REQUIRED BY SECTION 207 OF THE ACT OF JULY 31, 1968 (P.L.769,  
29 NO.240), KNOWN AS THE "COMMONWEALTH DOCUMENTS LAW."

30 (11) REVIEW FOR FORM AND LEGALITY, ALL COMMONWEALTH



1 DEEDS, LEASES AND CONTRACTS TO BE EXECUTED BY EXECUTIVE  
2 AGENCIES, AND HE MAY PREPARE UNIFORM INSTRUMENT FORMS AND  
3 PREAPPROVE ALL SUCH DOCUMENTS WHICH ARE PREPARED IN  
4 ACCORDANCE WITH SUCH FORMS AND APPLICABLE INSTRUCTIONS.

5 (12) NOT AGREE TO THE ENTRY OF A CONSENT DECREE IN ANY  
6 ACTION AGAINST THE COMMONWEALTH OR ANY EXECUTIVE AGENCY  
7 WITHOUT THE APPROVAL OF THE GOVERNOR AND THE ATTORNEY GENERAL  
8 AND NOTICE TO THE GENERAL ASSEMBLY THROUGH THE OFFICES OF THE  
9 SECRETARY OF THE SENATE AND CHIEF CLERK OF THE HOUSE OF  
10 REPRESENTATIVES.

11 SECTION 302. MEMBERSHIP ON AGENCIES.

12 THE GENERAL COUNSEL SHALL SERVE AS A MEMBER OF THE BOARD OF  
13 COMMISSIONERS ON UNIFORM STATE LAWS, THE PENNSYLVANIA EMERGENCY  
14 MANAGEMENT AGENCY, THE JOINT COMMITTEE ON DOCUMENTS, THE BOARD  
15 OF PROPERTY, THE COMMISSION ON CHARITABLE ORGANIZATIONS, THE  
16 LOCAL GOVERNMENT RECORDS COMMITTEE, THE MEDICAL ADVISORY BOARD,  
17 THE BOARD OF FINANCE AND REVENUE AND THE CIVIL DISORDER  
18 COMMISSION.

19 SECTION 303. SUPERSESSON AND INTERVENTION ~~AT THE APPELLATE~~ <—  
20 ———LEVEL.

21 (A) REPRESENTATION OF AGENCY BY GENERAL COUNSEL.--WHENEVER  
22 ANY ACTION IS BROUGHT BY OR AGAINST ANY EXECUTIVE BRANCH AGENCY,  
23 THE GOVERNOR OR OTHER EXECUTIVE BRANCH OFFICIAL, THE GOVERNOR  
24 MAY REQUEST IN WRITING, SETTING FORTH HIS REASONS, THE ATTORNEY  
25 GENERAL TO AUTHORIZE THE GENERAL COUNSEL TO SUPERSEDE THE  
26 ATTORNEY GENERAL AND REPRESENT THE AGENCY, THE GOVERNOR OR OTHER  
27 EXECUTIVE BRANCH OFFICIAL.

28 (B) INTERVENTION BY GENERAL COUNSEL.--IF THE ATTORNEY  
29 GENERAL DOES NOT GRANT THE REQUEST, THE GOVERNOR MAY AUTHORIZE  
30 THE GENERAL COUNSEL TO INTERVENE IN THE LITIGATION. SUCH

1 INTERVENTION SHALL BE A MATTER OF RIGHT AND WHEN EXERCISED,  
2 CONFER UPON THE GENERAL COUNSEL THE OBLIGATION TO REPRESENT THE  
3 ~~EXECUTIVE AGENCY OR OFFICIAL INVOLVED~~ GOVERNOR AND HIS INTERESTS <—  
4 AS CHIEF EXECUTIVE OFFICER OF THE COMMONWEALTH AND ITS EXECUTIVE  
5 DEPARTMENT. THE ATTORNEY GENERAL SHALL AT ALL TIMES CONTINUE TO  
6 REPRESENT THE COMMONWEALTH. ~~APPLICATION OF THIS SUBSECTION SHALL~~ <—  
7 ~~BE LIMITED TO ACTIONS BROUGHT AT THE APPELLATE LEVEL IN THE~~  
8 ~~SUPREME AND SUPERIOR COURTS OF THE COMMONWEALTH AND THE~~  
9 ~~APPELLATE LEVELS OF THE COURTS OF THE UNITED STATES.~~  
10 FURTHERMORE, ~~THIS SUBSECTION SHALL BE APPLICABLE TO ALL ACTIONS~~  
11 ~~BROUGHT IN THE COMMONWEALTH COURT OTHER THAN THOSE ACTIONS OVER~~  
12 ~~WHICH THE COMMONWEALTH COURT HAS ORIGINAL JURISDICTION.~~

13 CHAPTER 4

14 COUNSEL FOR INDEPENDENT AGENCIES

15 SECTION 401. COUNSEL; APPOINTMENT.

16 EACH INDEPENDENT AGENCY MAY APPOINT AND FIX THE COMPENSATION  
17 OF A CHIEF COUNSEL AND SUCH ASSISTANT COUNSEL AS IT DEEMS  
18 NECESSARY TO PROVIDE IT WITH LEGAL ASSISTANCE OR REQUEST SUCH  
19 LEGAL SERVICES FROM THE OFFICE OF GENERAL COUNSEL.

20 SECTION 402. POWERS AND DUTIES OF COUNSEL.

21 THE CHIEF COUNSEL:

22 (1) SHALL FURNISH LEGAL ADVICE PRIOR TO THE INITIATION <—  
23 OF ANY ACTION TO THE INDEPENDENT AGENCY CONCERNING ANY LEGAL  
24 MATTER OR ISSUE ARISING IN CONNECTION WITH THE EXERCISE OF  
25 THE OFFICIAL POWERS OR PERFORMANCE OF THE OFFICIAL DUTIES OF  
26 THE AGENCY.

27 (2) MAY REQUEST THE ASSISTANCE OF THE GENERAL COUNSEL OR  
28 THE ATTORNEY GENERAL, OR BOTH OF THEM, IN ANY MATTER OR  
29 ACTION INVOLVING THE AGENCY. IF ADVICE IS REQUESTED FROM THE  
30 ATTORNEY GENERAL, SUCH ADVICE WHEN RECEIVED SHALL BE FOLLOWED

1 BY THE AGENCY, AND, WHEN FOLLOWED, THE AGENCY SHALL NOT IN  
2 ANY WAY BE LIABLE FOR DOING SO, UPON AN OFFICIAL BOND OR  
3 OTHERWISE.

4 (3) UPON THE INSTRUCTIONS OF THE INDEPENDENT AGENCY:

5 (I) INITIATE APPROPRIATE PROCEEDINGS OR DEFEND THE  
6 AGENCY WHEN AN ACTION OR MATTER HAS BEEN REFERRED TO THE  
7 ATTORNEY GENERAL AND THE ATTORNEY GENERAL REFUSES OR  
8 FAILS TO INITIATE APPROPRIATE PROCEEDINGS OR DEFEND THE  
9 AGENCY: PROVIDED, HOWEVER, THAT THE CHIEF COUNSEL SHALL  
10 NOT AGREE TO THE ENTRY OF A CONSENT DECREE IN ANY ACTION  
11 WITHOUT THE APPROVAL OF THE GOVERNOR AND THE ATTORNEY  
12 GENERAL AND NOTICE TO THE GENERAL ASSEMBLY THROUGH THE  
13 SECRETARY OF THE SENATE AND THE CHIEF CLERK OF THE HOUSE  
14 OF REPRESENTATIVES; AND

15 (II) REPRESENT THE AGENCY IF THE ATTORNEY GENERAL  
16 HAS INITIATED LITIGATION AGAINST IT.

17 (4) UPON THE INSTRUCTIONS OF THE INDEPENDENT AGENCY,  
18 APPEAL ANY DECISIONS ADVERSE TO IT RENDERED BY THE ATTORNEY  
19 GENERAL UNDER SUBSECTION (F) OF SECTION 204.

20 (5) REVIEW AND APPROVE FOR FORM AND LEGALITY ALL  
21 PROPOSED RULES AND REGULATIONS OF THE AGENCY BEFORE THEY ARE  
22 DEPOSITED WITH THE LEGISLATIVE REFERENCE BUREAU AS REQUIRED  
23 BY SECTION 207 OF THE ACT OF JULY 31, 1968 (P.L.769, NO.240),  
24 KNOWN AS THE "COMMONWEALTH DOCUMENTS LAW."

25 (6) REVIEW FOR FORM AND LEGALITY ALL COMMONWEALTH DEEDS,  
26 LEASES AND CONTRACTS TO BE EXECUTED BY THE AGENCY. THE CHIEF  
27 COUNSEL MAY PREPARE UNIFORM INSTRUMENT FORMS AND PREAPPROVE  
28 ALL SUCH DOCUMENTS WHICH ARE PREPARED IN ACCORDANCE WITH SUCH  
29 FORMS AND APPLICABLE INSTRUCTIONS.

30 SECTION 403. SUPERSESSION AND INTERVENTION ~~AT THE APPELLATE~~

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—LEVEL.

(A) REPRESENTATION OF AGENCY BY ~~GENERAL~~ AGENCY COUNSEL.--  
WHENEVER ANY ACTION IS BROUGHT BY OR AGAINST ANY INDEPENDENT  
AGENCY OR INDEPENDENT AGENCY OFFICIAL, THE AGENCY HEAD MAY  
REQUEST IN WRITING, SETTING FORTH HIS REASONS, THE ATTORNEY  
GENERAL TO AUTHORIZE THE AGENCY COUNSEL TO SUPERSEDE THE  
ATTORNEY GENERAL AND REPRESENT THE AGENCY OR ITS OFFICIAL.

(B) INTERVENTION BY ~~GENERAL~~ AGENCY COUNSEL.--IF THE ATTORNEY  
GENERAL DOES NOT GRANT THE REQUEST, THE AGENCY HEAD MAY  
AUTHORIZE THE AGENCY COUNSEL TO INTERVENE IN THE LITIGATION.  
SUCH INTERVENTION SHALL BE A MATTER OF RIGHT AND WHEN EXERCISED,  
CONFER UPON THE AGENCY COUNSEL THE OBLIGATION TO REPRESENT THE  
AGENCY. ~~OR OFFICIAL INVOLVED.~~ THE ATTORNEY GENERAL SHALL AT ALL  
TIMES CONTINUE TO REPRESENT THE COMMONWEALTH. ~~APPLICATION OF~~  
~~THIS SUBSECTION SHALL BE LIMITED TO ACTIONS BROUGHT AT THE~~  
~~APPELLATE LEVEL IN THE SUPREME AND SUPERIOR COURTS OF THE~~  
~~COMMONWEALTH AND THE APPELLATE LEVELS OF THE COURTS OF THE~~  
~~UNITED STATES. FURTHERMORE, THIS SUBSECTION SHALL BE APPLICABLE~~  
~~TO ALL ACTIONS BROUGHT IN THE COMMONWEALTH COURT OTHER THAN~~  
~~THOSE ACTIONS OVER WHICH THE COMMONWEALTH COURT HAS ORIGINAL~~  
~~JURISDICTION.~~

CHAPTER 5

MISCELLANEOUS PROVISIONS

SECTION 501. GENERAL TRANSFER OF PERSONNEL, APPROPRIATIONS,  
RECORDS, EQUIPMENT, ETC.

(A) TRANSFERS TO THE ATTORNEY GENERAL.--ALL PERSONNEL,  
ALLOCATIONS, EQUIPMENT, FILES, RECORDS, CONTRACTS, AGREEMENTS,  
OBLIGATIONS AND OTHER MATERIALS WHICH ARE USED, EMPLOYED OR  
EXPENDED IN CONNECTION WITH THE POWERS, DUTIES OR FUNCTIONS  
TRANSFERRED BY THIS ACT TO THE OFFICE OF ATTORNEY GENERAL ARE

1 HEREBY TRANSFERRED TO THE OFFICE OF ATTORNEY GENERAL WITH THE  
2 SAME FORCE AND EFFECT AS IF THE APPROPRIATIONS HAD BEEN MADE TO  
3 AND SAID ITEMS HAD BEEN THE PROPERTY OF THE OFFICE OF ATTORNEY  
4 GENERAL IN THE FIRST INSTANCE AND AS IF SAID CONTRACTS,  
5 AGREEMENTS AND OBLIGATIONS HAD BEEN INCURRED OR ENTERED INTO BY  
6 SAID OFFICE OF ATTORNEY GENERAL.

7 (B) TRANSFERS TO THE OFFICE OF GENERAL COUNSEL.--ALL  
8 PERSONNEL, ALLOCATIONS, APPROPRIATIONS, EQUIPMENT, FILES,  
9 RECORDS, CONTRACTS, AGREEMENTS, OBLIGATIONS AND OTHER MATERIALS  
10 WHICH ARE USED, EMPLOYED OR EXPENDED IN CONNECTION WITH THE  
11 POWERS, DUTIES OR FUNCTIONS TRANSFERRED BY THIS ACT TO THE  
12 OFFICE OF GENERAL COUNSEL ARE HEREBY TRANSFERRED TO THE OFFICE  
13 OF GENERAL COUNSEL WITH THE SAME FORCE AND EFFECT AS IF THE  
14 APPROPRIATIONS HAD BEEN MADE TO AND SAID ITEMS HAD BEEN THE  
15 PROPERTY OF THE OFFICE OF GENERAL COUNSEL IN THE FIRST INSTANCE  
16 AND AS IF SAID CONTRACTS, AGREEMENTS AND OBLIGATIONS HAD BEEN  
17 INCURRED OR ENTERED INTO BY SAID OFFICE OF GENERAL COUNSEL.

18 (C) TRANSFERS OF ADMINISTRATIVE FUNCTIONS OF THE BOARD OF  
19 PARDONS TO THE LIEUTENANT GOVERNOR.--THE ADMINISTRATIVE  
20 FUNCTIONS OF THE BOARD OF PARDONS ARE HEREBY TRANSFERRED TO THE  
21 LIEUTENANT GOVERNOR. ALL PERSONNEL, ALLOCATIONS, APPROPRIATIONS,  
22 EQUIPMENT, FILES, RECORDS, CONTRACTS, AGREEMENTS, OBLIGATIONS  
23 AND OTHER MATERIALS WHICH ARE USED, EMPLOYED OR EXPENDED IN  
24 CONNECTION WITH THE POWERS, DUTIES OR FUNCTIONS TRANSFERRED BY  
25 THIS ACT TO THE LIEUTENANT GOVERNOR ARE HEREBY TRANSFERRED TO  
26 THE LIEUTENANT GOVERNOR WITH THE SAME FORCE AND EFFECT AS IF THE  
27 APPROPRIATIONS HAD BEEN MADE TO AND SAID ITEMS HAD BEEN THE  
28 PROPERTY OF THE LIEUTENANT GOVERNOR IN THE FIRST INSTANCE AND AS  
29 IF SAID CONTRACTS, AGREEMENTS AND OBLIGATIONS HAD BEEN INCURRED  
30 OR ENTERED INTO BY SAID LIEUTENANT GOVERNOR.

1 (D) DIVISION OF GENERAL ADMINISTRATIVE PERSONNEL AND  
2 MATERIALS.--THE PERSONNEL, APPROPRIATIONS, EQUIPMENT AND OTHER  
3 ITEMS AND MATERIALS TRANSFERRED BY THIS SECTION SHALL INCLUDE AN  
4 APPROPRIATE PORTION OF THE GENERAL ADMINISTRATIVE, OVERHEAD AND  
5 SUPPORTING PERSONNEL, APPROPRIATIONS, EQUIPMENT AND OTHER  
6 MATERIALS OF THE AGENCY AND SHALL ALSO INCLUDE, WHERE  
7 APPLICABLE, FEDERAL GRANTS AND FUNDS AND OTHER BENEFITS FROM ANY  
8 FEDERAL PROGRAM.

9 (E) RETENTION OF CIVIL SERVICE STATUS.--ALL PERSONNEL  
10 TRANSFERRED PURSUANT TO THIS ACT SHALL RETAIN ANY CIVIL SERVICE  
11 EMPLOYMENT STATUS ASSIGNED TO SAID PERSONNEL.

12 SECTION 502. SPECIFIC TRANSFERS OF CERTAIN POWERS AND DUTIES TO  
13 THE OFFICE OF GENERAL COUNSEL.

14 THE POWERS AND DUTIES OF THE ATTORNEY GENERAL AND/OR THE  
15 DEPARTMENT OF JUSTICE CONTAINED IN THE FOLLOWING ACTS OR PARTS  
16 OF ACTS ARE TRANSFERRED TO THE OFFICE OF GENERAL COUNSEL:

17 SECTION 3 OF THE ACT OF JUNE 8, 1907 (P.L.496, NO.322),  
18 ENTITLED "AN ACT TO ESTABLISH A BOARD OF COMMISSIONERS OF  
19 NAVIGATION FOR THE RIVER DELAWARE AND ITS NAVIGABLE TRIBUTARIES;  
20 REGULATING THEIR JURISDICTION OVER SHIPS, VESSELS, AND BOATS,  
21 AND WHARVES, PIERS, BULKHEADS, DOCKS, SLIPS, AND BASINS; AND  
22 EXEMPTING CITIES OF THE FIRST CLASS FROM CERTAIN OF ITS  
23 PROVISIONS; AND MAKING AN APPROPRIATION THEREFOR."

24 SECTION 9 OF THE ACT OF JULY 9, 1919 (P.L.814, NO.338),  
25 ENTITLED "AN ACT PROVIDING FOR THE ERECTION AND CONSTRUCTION BY  
26 THE COMMONWEALTH OF PENNSYLVANIA AND THE STATE OF NEW JERSEY OF  
27 A BRIDGE OVER THE DELAWARE RIVER, CONNECTING THE CITY OF  
28 PHILADELPHIA AND THE CITY OF CAMDEN, AND THE APPROACHES THERETO;  
29 PROVIDING FOR A JOINT COMMISSION FOR THAT PURPOSE, AND DEFINING  
30 ITS POWERS AND DUTIES; PROVIDING FOR AN INDEPENDENT COMMISSION

1 IN THIS COMMONWEALTH IN RELATION THERETO, AND DEFINING ITS  
2 POWERS AND DUTIES; PROVIDING FOR THE PAYMENT OF A PART OF THE  
3 COST THEREOF BY THE CITY OF PHILADELPHIA; AND PROVIDING FOR THE  
4 ACQUIRING, TAKING, AND CONDEMNATION OF THE REAL ESTATE FOR THE  
5 SITE AND APPROACHES THEREOF; PROVIDING FOR THE TURNING OVER OF  
6 SAID BRIDGE UPON ITS COMPLETION; AND MAKING AN APPROPRIATION FOR  
7 THE PURPOSES OF THIS ACT."

8 SECTION 1 OF THE ACT OF MARCH 24, 1921 (P.L.48, NO.23),  
9 ENTITLED, AS AMENDED, "AN ACT PROVIDING FOR THE TRANSFER OF  
10 CONVICTS FROM THE STATE PENITENTIARIES AND THEIR IMPRISONMENT IN  
11 THE PENITENTIARY TO WHICH TRANSFERRED; IMPOSING COSTS FOR SUCH  
12 TRANSFERS UPON THE COMMONWEALTH; IMPOSING THE COST OF THE  
13 MAINTENANCE OF CONVICTS SO TRANSFERRED UPON THE COUNTIES IN  
14 WHICH THEY WERE CONVICTED; DIRECTING THAT CERTAIN NOTICE OF SUCH  
15 TRANSFER OF A CONVICT BE GIVEN; AND MAKING APPROPRIATIONS."

16 SECTION 2 OF THE ACT OF MAY 27, 1921 (P.L.1191, NO.443),  
17 ENTITLED "AN ACT CREATING A STATE FAIR COMMISSION FOR THE  
18 COMMONWEALTH OF PENNSYLVANIA; DEFINING ITS DUTIES; AND MAKING AN  
19 APPROPRIATION THEREFOR."

20 SECTIONS 1 AND 6 OF THE ACT OF JULY 11, 1923 (P.L.1044,  
21 NO.425), ENTITLED, AS AMENDED, "AN ACT TO AUTHORIZE AND PROVIDE  
22 FOR THE TRANSFER AND RETRANSFER OF PERSON OR PERSONS CONFINED IN  
23 ANY PENITENTIARY, PRISON, WORKHOUSE, HOUSE OF CORRECTION, OR ANY  
24 OTHER INSTITUTION FOR ADULT PRISONERS, UNDER SENTENCE OF LAW,  
25 CONVICTED BUT AWAITING SENTENCE, AWAITING TRIAL, OR CONFINED FOR  
26 ANY OTHER PURPOSE TO SOME OTHER PRISON, PENITENTIARY, WORKHOUSE,  
27 HOUSE OF CORRECTION, OR OTHER INSTITUTION FOR ADULT PRISONERS."

28 SECTIONS 404, 477 THROUGH 477.16, 905.1, 905.2, 911, 912,  
29 913, 914, 914.1, 915 AND 916 OF THE ACT OF APRIL 9, 1929  
30 (P.L.177, NO.175), KNOWN AS "THE ADMINISTRATIVE CODE OF 1929."

1       SECTIONS 1 AND 2 OF THE ACT OF JUNE 21, 1939 (P.L.660,  
2 NO.307), ENTITLED, AS AMENDED, "AN ACT PROVIDING FOR THE RETURN  
3 OF ESCAPED PRISONERS AND CONVICTS AFTER APPREHENSION, TO THE  
4 PENITENTIARY OR STATE INSTITUTION FROM WHICH THEY ESCAPE, BY THE  
5 AGENTS OF THE DEPARTMENT OF JUSTICE OR THE PENNSYLVANIA STATE  
6 POLICE, AND REQUIRING THE PENITENTIARY OR STATE INSTITUTION TO  
7 DEFRAY THE EXPENSES THEREOF."

8       SECTION 21.1 OF THE ACT OF AUGUST 6, 1941 (P.L.861, NO.323),  
9 REFERRED TO AS PENNSYLVANIA BOARD OF PROBATION AND PAROLE LAW.

10       SECTION 4 OF THE ACT OF MAY 15, 1945 (P.L.547, NO.217), KNOWN  
11 AS THE "SOIL CONSERVATION LAW."

12       SECTION 774 OF THE ACT OF JUNE 1, 1945 (P.L.1242, NO.428),  
13 KNOWN AS THE "STATE HIGHWAY LAW."

14       SECTIONS 1, 2 AND 3 OF THE ACT OF JULY 29, 1953 (P.L.1433,  
15 NO.410), ENTITLED "AN ACT CREATING CERTAIN PENAL AND  
16 CORRECTIONAL INSTITUTIONS AND BOARDS OF TRUSTEES; ABOLISHING  
17 CERTAIN PENAL INSTITUTIONS; IMPOSING DUTIES UPON THE  
18 COMMISSIONER OF CORRECTION OF THE DEPARTMENT OF JUSTICE; AND  
19 PROVIDING FOR THE COSTS OF TRANSPORTATION AND MAINTENANCE OF  
20 INMATES."

21       SECTIONS 2, 4, 5, 6 AND 8 OF THE ACT OF JULY 29, 1953  
22 (P.L.1435, NO.411), ENTITLED "AN ACT RELATING TO THE MORE  
23 EFFECTIVE TREATMENT OF PERSONS CONVICTED OF CRIME OR COMMITTED  
24 AS DEFECTIVE DELINQUENTS; CREATING IN THE DEPARTMENT OF JUSTICE  
25 CORRECTIONAL DIAGNOSTIC AND CLASSIFICATION CENTERS; PROVIDING  
26 FOR THE DIAGNOSIS AND CLASSIFICATION OF PERSONS SENTENCED OR  
27 COMMITTED BY THE COURTS OF A STATE INSTITUTION; FIXING THE  
28 RESPONSIBILITY FOR COSTS OF TRANSPORTATION AND MAINTENANCE OF  
29 SUCH PERSONS; PRESCRIBING DUTIES OF THE COURTS AND THE POWERS  
30 AND DUTIES OF THE DEPARTMENT OF JUSTICE RELATIVE THERETO; MAKING



1 CIVIL AND CRIMINAL LAWS APPLICABLE TO PENITENTIARIES AND PERSONS  
2 THEREIN OR RESPONSIBLE THEREFOR APPLICABLE IN THE CASE OF THE  
3 SAID INSTITUTIONS."

4 SECTIONS 1, 2, 3, 4, 5 AND 6 OF THE ACT OF JULY 19, 1953  
5 (P.L.1440, NO.414), ENTITLED "AN ACT PROVIDING FOR THE  
6 CONSTRUCTION AND EQUIPPING OF THE PENNSYLVANIA INSTITUTION FOR  
7 DEFECTIVE DELINQUENTS; PROVIDING FOR THE ACQUISITION OF LAND;  
8 PROVIDING FOR THE RECEPTION, CONFINEMENT, TREATMENT, CARE,  
9 MAINTENANCE AND CONTROL OF INMATES; IMPOSING DUTIES AND  
10 CONFERRING POWERS ON THE DEPARTMENT OF JUSTICE, DEPARTMENT OF  
11 PROPERTY AND SUPPLIES AND THE GENERAL STATE AUTHORITY."

12 SECTION 1 OF THE ACT OF DECEMBER 8, 1959 (P.L.1718, NO.632),  
13 ENTITLED, AS AMENDED, "AN ACT PROVIDING FOR THE PAYMENT OF THE  
14 SALARY, MEDICAL AND HOSPITAL EXPENSES OF EMPLOYES OF STATE PENAL  
15 AND CORRECTIONAL INSTITUTIONS, STATE MENTAL HOSPITALS, YOUTH  
16 DEVELOPMENT CENTERS, COUNTY BOARDS OF ASSISTANCE, AND UNDER  
17 CERTAIN CONDITIONS OTHER EMPLOYES OF THE DEPARTMENT OF PUBLIC  
18 WELFARE, WHO ARE INJURED IN THE PERFORMANCE OF THEIR DUTIES; AND  
19 PROVIDING BENEFIT TO THEIR WIDOWS AND DEPENDENTS IN CERTAIN  
20 CASES."

21 SECTIONS 1 AND 6 OF THE ACT OF DECEMBER 21, 1959 (P.L.1962,  
22 NO.717), ENTITLED "AN ACT PROVIDING FOR THE CREATION AND  
23 OPERATION OF THE JUVENILE COURT JUDGES' COMMISSION IN THE  
24 DEPARTMENT OF JUSTICE; PRESCRIBING ITS POWERS AND DUTIES; AND  
25 MAKING AN APPROPRIATION."

26 SECTION 23 OF THE ACT OF AUGUST 23, 1961 (P.L.1068, NO.484),  
27 ENTITLED, AS AMENDED, "AN ACT TO PROVIDE FOR THE CREATION AND  
28 ADMINISTRATION OF A A COAL MINE SUBSIDENCE INSURANCE FUND WITHIN  
29 THE DEPARTMENT OF ENVIRONMENTAL RESOURCES FOR THE INSURANCE OF  
30 COMPENSATION FOR DAMAGES TO SUBSCRIBERS THERETO; DECLARING FALSE

1 OATHS BY THE SUBSCRIBERS TO BE MISDEMEANORS; PROVIDING PENALTIES  
2 FOR THE VIOLATION THEREOF; AND MAKING AN APPROPRIATION."

3 SECTION 604-A OF THE ACT OF JUNE 22, 1964 (SP.SESS., P.L.84,  
4 NO.6), KNOWN AS THE "EMINENT DOMAIN CODE."

5 SECTIONS 2, 3 AND 5 OF THE ACT OF DECEMBER 22, 1965  
6 (P.L.1189, NO.472), ENTITLED "AN ACT ESTABLISHING A CORRECTIONAL  
7 FACILITY FOR CRIMINOLOGICAL DIAGNOSIS, CLASSIFICATION, SOCIAL  
8 AND PSYCHOLOGICAL TREATMENT AND RESEARCH, MEDICAL TREATMENT AND  
9 STAFF TRAINING."

10 SECTIONS 2 AND 3 OF THE ACT OF DECEMBER 27, 1965 (P.L.1237,  
11 NO.502), ENTITLED "AN ACT ESTABLISHING REGIONAL CORRECTIONAL  
12 FACILITIES ADMINISTERED BY THE BUREAU OF CORRECTION AS PART OF  
13 THE STATE CORRECTIONAL SYSTEM; ESTABLISHING STANDARDS FOR COUNTY  
14 JAILS, AND PROVIDING FOR INSPECTION AND CLASSIFICATION OF COUNTY  
15 JAILS AND FOR COMMITMENT TO STATE CORRECTIONAL FACILITIES AND  
16 COUNTY JAILS."

17 SECTIONS 412 AND 415 OF THE ACT OF OCTOBER 20, 1966 (3RD  
18 SP.SESS., P.L.96, NO.6), KNOWN AS THE "MENTAL HEALTH AND MENTAL  
19 RETARDATION ACT OF 1966."

20 SECTION 208 OF THE ACT OF JUNE 13, 1967 (P.L.31, NO.21),  
21 KNOWN AS THE "PUBLIC WELFARE CODE."

22 SECTIONS 1 AND 2 OF THE ACT OF JULY 16, 1968 (P.L.351,  
23 NO.173), ENTITLED, AS AMENDED, "AN ACT AUTHORIZING THE  
24 ESTABLISHMENT OF PRISONER PRE-RELEASE CENTERS AND RELEASE PLANS  
25 UNDER THE JURISDICTION OF THE DEPARTMENT OF JUSTICE AND DEFINING  
26 ITS POWERS AND DUTIES."

27 SECTIONS 2, 3 AND 7 OF THE ACT OF OCTOBER 16, 1972 (P.L.913,  
28 NO.218), ENTITLED "AN ACT ESTABLISHING REGIONAL COMMUNITY  
29 TREATMENT CENTERS FOR WOMEN ADMINISTERED BY THE BUREAU OF  
30 CORRECTION OF THE DEPARTMENT OF JUSTICE AS PART OF THE STATE

1 CORRECTIONAL SYSTEM, PROVIDING FOR THE COMMITMENT OF FEMALES TO  
2 SUCH CENTERS AND THEIR TEMPORARY RELEASE THEREFROM FOR CERTAIN  
3 PURPOSES, RESTRICTING CONFINEMENT OF FEMALES IN COUNTY JAILS AND  
4 CONFERRING POWERS AND DUTIES UPON THE DEPARTMENT OF JUSTICE AND  
5 THE BUREAU OF CORRECTION."

6 SECTION 104(10) OF THE ACT OF FEBRUARY 1, 1974 (P.L.34,  
7 NO.15), KNOWN AS THE "PENNSYLVANIA MUNICIPAL RETIREMENT LAW."

8 18 PA.C.S. §§ 1355 AND 1356

9 24 PA.C.S. §§ 8501(E), 8502(H) AND 8503

10 42 PA.C.S. §§ 5974, 5977 AND 6352

11 71 PA.C.S. §§ 5102, 5901(E) AND 5902(H)

12 SECTION 503. ABSOLUTE REPEALS.

13 THE FOLLOWING ACTS OR PARTS OF ACTS ARE REPEALED ABSOLUTELY:

14 SECTION 6 OF THE ACT OF MARCH 22, 1817 (P.L.122, NO.98),  
15 ENTITLED "AN ACT PERTAINING TO HORSE RACING ON PUBLIC ROADS IN  
16 PHILADELPHIA."

17 THE ACT OF APRIL 21, 1857 (P.L.266, NO.308), ENTITLED "AN ACT  
18 RELATING TO THE OFFICE AND DUTIES OF ATTORNEY GENERAL."

19 SECTION 1 OF THE ACT OF APRIL 8, 1861 (P.L.258, NO.260),  
20 ENTITLED "AN ACT RELATIVE TO THE BOARD OF PROPERTY."

21 SECTION 1 OF THE ACT OF APRIL 8, 1869 (P.L.19, NO.19),  
22 ENTITLED "AN ACT RELATING TO THE SETTLEMENT OF PUBLIC ACCOUNTS."

23 THE ACT OF APRIL 12, 1875 (P.L.43, NO.48), ENTITLED "AN ACT  
24 TO PROVIDE FOR THE ELECTION AND APPOINTMENT OF TRUSTEES FOR THE  
25 STATE NORMAL SCHOOLS, AND TO FURTHER REGULATE THEIR MANAGEMENT."

26 THE ACT OF JUNE 3, 1885 (P.L.71, NO.44), ENTITLED "AN ACT TO  
27 PROVIDE THAT ALL MONEYS RECEIVED FROM POLICIES OF INSURANCE UPON  
28 BUILDINGS OF THE STATE NORMAL SCHOOLS SHALL BE HELD IN TRUST FOR  
29 THE REPAIRING AND REBUILDING OF SAID BUILDINGS, AND FOR THE  
30 PAYMENT OF THE PROCEEDS OF SAID INSURANCE POLICIES FOR THAT

1 PURPOSE."

2 THE ACT OF MAY 2, 1905 (P.L.351, NO.225), ENTITLED "AN ACT  
3 AUTHORIZING THE ATTORNEY GENERAL TO RETAIN AND EMPLOY ATTORNEYS  
4 TO REPRESENT THE COMMONWEALTH, IN CRIMINAL PROCEEDINGS, IN THE  
5 VARIOUS COURTS OF OYER AND TERMINER, GENERAL JAIL DELIVERY, AND  
6 QUARTER SESSIONS, IF REQUESTED TO DO SO BY THE PRESIDENT JUDGE  
7 OF THE DISTRICT HAVING JURISDICTION THEREOF; PROVIDING FOR THE  
8 COMPENSATION OF SUCH ATTORNEYS, AND DEFINING THEIR DUTIES AND  
9 POWERS."

10 SECTIONS 512, 704, 901 AND 902, THE FIRST SENTENCE OF  
11 SUBSECTION (B) OF SECTION 902-A, SECTIONS 903, 904, 905, 906,  
12 907 AND 908 OF THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN  
13 AS "THE ADMINISTRATIVE CODE OF 1929."

14 ~~THE LAST PARAGRAPH OF SECTION 976 OF THE ACT OF JUNE 3, 1937~~ <—  
15 ~~(P.L.1333, NO.320), KNOWN AS THE "PENNSYLVANIA ELECTION CODE."~~

16 SECTION 204 OF THE ACT OF AUGUST 5, 1941 (P.L.752, NO.286),  
17 KNOWN AS THE "CIVIL SERVICE ACT."

18 ~~THE ACT OF NOVEMBER 25, 1970 (P.L.744, NO.241), ENTITLED "AN~~ <—  
19 ~~ACT REGULATING THE SOLICITATION OF MAGAZINE SUBSCRIPTIONS IN~~  
20 ~~CERTAIN CASES AND PROVIDING PENALTIES."~~

21 THE ACT OF APRIL 18, 1978 (P.L.54, NO.25), ENTITLED "AN ACT  
22 IMPLEMENTING THE PROVISION OF SECTION 4.1 AND RELATED SECTIONS  
23 OF ARTICLE IV OF THE CONSTITUTION OF PENNSYLVANIA AS ADDED OR  
24 AMENDED TO PROVIDE FOR THE ELECTION OF THE ATTORNEY GENERAL;  
25 PROVIDING FOR THE CONTINUATION OF THE POWERS AND DUTIES OF THE  
26 ATTORNEY GENERAL THROUGH INTERIM GUBERNATORIAL APPOINTMENTS TO  
27 ENSURE AN ORDERLY AND EFFICIENT TRANSITION IN THE OFFICE OF  
28 ATTORNEY GENERAL AND THE DEPARTMENT OF JUSTICE."

29 AS MUCH AS READS AS FOLLOWS, "AND SHALL REPRESENT THE  
30 COMMISSION UPON APPEALS AND OTHER HEARINGS IN THE COURTS OF

1 COMMON PLEAS AND IN THE COMMONWEALTH AND SUPREME COURTS, OR  
2 OTHER COURTS OF THIS COMMONWEALTH, OR IN ANY FEDERAL COURT OR  
3 AGENCY AND IN ACTIONS INSTITUTED TO RECOVER PENALTIES AND TO  
4 ENFORCE REGULATIONS AND ORDERS OF THE COMMISSION" OF SECTION 306  
5 AND THE THIRD SENTENCE OF SECTION 308 OF TITLE 66 (PUBLIC  
6 UTILITIES) OF THE PENNSYLVANIA CONSOLIDATED STATUTES.  
7 SECTION 504. INCONSISTENT REPEALS.

8 THE FOLLOWING ACTS OR PARTS OF ACTS ARE REPEALED INSOFAR AS  
9 THEY ARE INCONSISTENT WITH THE PROVISIONS OF THIS ACT:

10 SECTION 2 OF THE ACT OF MARCH 30, 1897 (P.L.11, NO.10),  
11 ENTITLED "AN ACT AUTHORIZING THE PURCHASE BY THE COMMONWEALTH OF  
12 UNSEATED LANDS FOR THE NON-PAYMENT OF TAXES FOR THE PURPOSE OF  
13 CREATING A STATE FOREST RESERVATION."

14 ~~SECTIONS 208, 502, 503 AND 660 OF THE ACT OF MAY 17, 1921~~ <—  
15 ~~(P.L.789, NO.285), KNOWN AS "THE INSURANCE DEPARTMENT ACT OF ONE~~  
16 ~~THOUSAND NINE HUNDRED AND TWENTY ONE."~~

17 SECTION 29 OF THE ACT OF MAY 25, 1921 (P.L.1144, NO.425),  
18 ENTITLED "AN ACT CREATING A DEPARTMENT OF PUBLIC WELFARE;  
19 DEFINING ITS POWERS AND DUTIES; ABOLISHING THE BOARD OF PUBLIC  
20 CHARITIES, THE COMMITTEE ON LUNACY, AND THE PRISON LABOR  
21 COMMISSION, AND ALL OFFICES THEREUNDER, AND VESTING ALL THE  
22 POWERS OF SAID BOARD, COMMITTEE, AND COMMISSION IN THE  
23 DEPARTMENT OF PUBLIC WELFARE; REQUIRING ALL REPORTS, NOTICES,  
24 STATEMENTS, OR MATTERS, HERETOFORE REQUIRED TO BE MADE, GIVEN,  
25 OR SUBMITTED TO THE BOARD OF PUBLIC CHARITIES OR THE COMMITTEE  
26 ON LUNACY, TO BE MADE, GIVEN, OR SUBMITTED TO THE DEPARTMENT OF  
27 PUBLIC WELFARE; AND PROVIDING PENALTIES."

28 SECTION 201, TO THE EXTENT THAT IT CREATES A DEPARTMENT OF  
29 JUSTICE, SECTIONS 404 AND ~~405~~ 406, TO THE EXTENT THAT THEY <—  
30 DESIGNATE THE ATTORNEY GENERAL AS A MEMBER OF THE BOARD OF

1 COMMISSIONERS ON UNIFORM STATE LAWS AND THE BOARD OF PROPERTY,  
2 AND SECTION 922, TO THE EXTENT THAT IT PROVIDES FOR THE  
3 APPOINTMENT OF AN ADVISORY COMMITTEE BY THE GOVERNOR, OF THE ACT  
4 OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS "THE ADMINISTRATIVE  
5 CODE OF 1929."

6 SECTIONS 203, 204(A), 702 AND 1006 OF THE ACT OF MAY 15, 1933  
7 (P.L.565, NO.111), KNOWN AS THE "DEPARTMENT OF BANKING CODE."

8 SECTION 510.1 OF THE ACT OF DECEMBER 5, 1936 (1937 2ND  
9 SP.SESS., P.L.2897, NO.1), KNOWN AS THE "UNEMPLOYMENT  
10 COMPENSATION LAW."

11 SECTION 1102 OF THE ACT OF APRIL 28, 1937 (P.L.417, NO.105),  
12 KNOWN AS THE "MILK MARKETING LAW."

13 SECTION 1401 OF THE ACT OF JUNE 3, 1937 (P.L.1225, NO.316),  
14 KNOWN AS "THE GAME LAW."

15 SECTION 3(C)(5) OF THE ACT OF AUGUST 5, 1941 (P.L.752,  
16 NO.286), KNOWN AS THE "CIVIL SERVICE ACT."

17 SECTION 1(B) OF THE ACT OF JUNE 30, 1947 (P.L.1183, NO.492),  
18 ENTITLED "AN ACT RELATING TO STRIKES BY PUBLIC EMPLOYEES;  
19 PROHIBITING SUCH STRIKES; PROVIDING THAT SUCH EMPLOYEES BY  
20 STRIKING TERMINATE THEIR EMPLOYMENT; PROVIDING FOR REINSTATEMENT  
21 UNDER CERTAIN CONDITIONS; PROVIDING FOR A GRIEVANCE PROCEDURE;  
22 AND PROVIDING FOR HEARINGS BEFORE CIVIL SERVICE AND TENURE  
23 AUTHORITIES, AND IN CERTAIN CASES BEFORE THE PENNSYLVANIA LABOR  
24 RELATIONS BOARD."

25 SECTION 1 OF THE ACT OF APRIL 18, 1949 (P.L.492, NO.106),  
26 ENTITLED, "AN ACT ENABLING AND AUTHORIZING THE DEPARTMENT OF  
27 PUBLIC INSTRUCTION OR ANY OF ITS DEPARTMENTAL ADMINISTRATIVE  
28 BOARDS, COMMISSIONS, OR OFFICERS TO PROCEED BY INJUNCTION OR ANY  
29 OTHER PROCESS IN THE COURT OF COMMON PLEAS IN ANY COUNTY WHERE  
30 THE ALLEGED UNAUTHORIZED PRACTICE WAS COMMITTED, TO PROHIBIT AND

1 RESTRAIN ANY UNLICENSED PERSON, ASSOCIATION, COPARTNERSHIP, OR  
2 CORPORATION FROM ENGAGING IN AN ACTIVITY FOR WHICH A LICENSE IS  
3 REQUIRED TO BE ISSUED BY THE DEPARTMENT OF PUBLIC INSTRUCTION,  
4 AND TO SET OUT THE METHOD AND PROCEDURE THEREFOR."

5 SECTION 12(C) OF THE ACT OF JANUARY 14, 1952 (1951 P.L.1898,  
6 NO.522), KNOWN AS THE "FUNERAL DIRECTOR LAW."

7 SECTION 7 OF THE ACT OF OCTOBER 27, 1955 (P.L.744, NO.222),  
8 KNOWN AS THE "PENNSYLVANIA HUMAN RELATIONS ACT."

9 SECTION 13 OF THE ACT OF JUNE 1, 1956 (1955 P.L.1959,  
10 NO.657), ENTITLED, AS AMENDED, "AN ACT FIXING THE SALARIES AND  
11 COMPENSATION OF THE CHIEF JUSTICE AND JUDGES OF THE SUPREME  
12 COURT, THE PRESIDENT JUDGE AND JUDGES OF THE SUPERIOR COURT, THE  
13 JUDGES OF THE COURTS OF COMMON PLEAS, THE JUDGES OF THE ORPHANS'  
14 COURTS, THE JUDGES OF THE COUNTY COURT OF PHILADELPHIA AND THE  
15 JUDGES OF THE COUNTY COURT AND JUVENILE COURT OF ALLEGHENY  
16 COUNTY, CERTAIN ASSOCIATE JUDGES NOT LEARNED IN THE LAW, CERTAIN  
17 STATE OFFICERS, AND THE SALARY AND EXPENSES OF THE MEMBERS OF  
18 THE GENERAL ASSEMBLY, AND REPEALING CERTAIN INCONSISTENT ACTS."

19 SECTION 290 OF THE ACT OF DECEMBER 15, 1959 (P.L.1779,  
20 NO.673), KNOWN AS "THE FISH LAW OF 1959."

21 SECTION 1 OF THE ACT OF SEPTEMBER 26, 1961 (P.L.1661,  
22 NO.692), ENTITLED "AN ACT PROVIDING FOR GROUP LIFE INSURANCE FOR  
23 STATE EMPLOYES; ESTABLISHING A SCHEDULE; PROVIDING FOR PAYMENT;  
24 PROVIDING FOR REDUCTION OF INSURANCE UPON RETIREMENT;  
25 AUTHORIZING THE SECRETARY OF PROPERTY AND SUPPLIES TO ACT AS  
26 EXCLUSIVE AGENT FOR THE PURPOSE OF CONTRACTING FOR INSURANCE;  
27 AND PROVIDING FOR ADMINISTRATION AND ADVISORY SERVICES BY THE  
28 DEPARTMENT OF PROPERTY AND SUPPLIES."

29 SECTION 6(G)(7) OF THE ACT OF SEPTEMBER 27, 1961 (P.L.1700,  
30 NO.699), KNOWN AS THE "PHARMACY ACT."

1       SECTIONS 2 AND 3 OF THE ACT OF AUGUST 8, 1963 (P.L.595,  
2 NO.314), ENTITLED "AN ACT RELATING TO PRIVATE INSTITUTIONS  
3 LICENSED BY THE DEPARTMENT OF PUBLIC WELFARE OR DEPARTMENT OF  
4 HEALTH; PROVIDING REMEDIES AGAINST PERSONS OPERATING WITHOUT A  
5 LICENSE OR VIOLATING THE LAWS OR RULES OR REGULATIONS MADE  
6 THEREUNDER; AND PRESCRIBING PROCEDURES TO BE FOLLOWED."

7       SECTION 1 OF THE ACT OF AUGUST 8, 1963 (P.L.622, NO.330),  
8 ENTITLED "AN ACT ENABLING AND AUTHORIZING THE COMMISSIONER OF  
9 PROFESSIONAL AND OCCUPATIONAL AFFAIRS OR ANY OF THE  
10 ADMINISTRATIVE BOARDS, COMMISSIONS OR OFFICERS WITHIN THE  
11 DEPARTMENT OF STATE OR OTHERWISE UNDER HIS SUPERVISION TO  
12 PROCEED BY INJUNCTION OR ANY OTHER PROCESS IN THE COURT OF  
13 COMMON PLEAS IN ANY COUNTY WHERE THE ALLEGED UNAUTHORIZED  
14 PRACTICE WAS COMMITTED TO PROHIBIT AND RESTRAIN ANY UNLICENSED  
15 PERSON, ASSOCIATION, COPARTNERSHIP OR CORPORATION FROM ENGAGING  
16 IN AN ACTIVITY FOR WHICH A LICENSE IS REQUIRED TO BE ISSUED BY  
17 THE COMMISSIONER OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS, AND  
18 TO SET OUT THE METHOD AND PROCEDURE THEREFOR."

19       SECTION 5(A) OF THE ACT OF AUGUST 9, 1963 (P.L.628, NO.337),  
20 KNOWN AS THE "SOLICITATION OF CHARITABLE FUNDS ACT," TO THE  
21 EXTENT THAT THE ATTORNEY GENERAL IS MADE A MEMBER OF THE  
22 COMMISSION ON CHARITABLE ORGANIZATIONS.

23       SECTIONS 208, 1052 AND 1053 OF THE ACT OF JUNE 13, 1967  
24 (P.L.31, NO.21), KNOWN AS THE "PUBLIC WELFARE CODE."

25       SECTION 5 OF THE ACT OF JANUARY 18, 1968 (1967 P.L.961,  
26 NO.428), KNOWN AS THE "MUNICIPAL RECORDS ACT," TO THE EXTENT  
27 THAT THE ATTORNEY GENERAL IS MADE A MEMBER OF THE LOCAL  
28 GOVERNMENT RECORDS COMMITTEE.

29       SECTION 205 OF THE ACT OF JULY 31, 1968 (P.L.769, NO.240),  
30 KNOWN AS THE "COMMONWEALTH DOCUMENTS LAW."



1       SECTIONS 1001 AND 1003 OF THE ACT OF JULY 23, 1970 (P.L.563,  
2 NO.195), KNOWN AS THE "PUBLIC EMPLOYE RELATIONS ACT."  
3       SECTION 28 OF THE ACT OF DECEMBER 3, 1970 (P.L.834, NO.275),  
4 ENTITLED "AN ACT AMENDING THE ACT OF APRIL 9, 1929 (P.L.177,  
5 NO.175), ENTITLED 'AN ACT PROVIDING FOR AND REORGANIZING THE  
6 CONDUCT OF THE EXECUTIVE AND ADMINISTRATIVE WORK OF THE  
7 COMMONWEALTH BY THE EXECUTIVE DEPARTMENT THEREOF AND THE  
8 ADMINISTRATIVE DEPARTMENTS, BOARDS, COMMISSIONS, AND OFFICERS  
9 THEREOF, INCLUDING THE BOARDS OF TRUSTEES OF STATE NORMAL  
10 SCHOOLS, OR TEACHERS COLLEGES; ABOLISHING, CREATING,  
11 REORGANIZING OR AUTHORIZING THE REORGANIZATION OF CERTAIN  
12 ADMINISTRATIVE DEPARTMENTS, BOARDS, AND COMMISSIONS; DEFINING  
13 THE POWERS AND DUTIES OF THE GOVERNOR AND OTHER EXECUTIVE AND  
14 ADMINISTRATIVE OFFICERS, AND OF THE SEVERAL ADMINISTRATIVE  
15 DEPARTMENTS, BOARDS, COMMISSIONS, AND OFFICERS; FIXING THE  
16 SALARIES OF THE GOVERNOR, LIEUTENANT GOVERNOR, AND CERTAIN OTHER  
17 EXECUTIVE AND ADMINISTRATIVE OFFICERS; PROVIDING FOR THE  
18 APPOINTMENT OF CERTAIN ADMINISTRATIVE OFFICERS, AND OF ALL  
19 DEPUTIES AND OTHER ASSISTANTS AND EMPLOYES IN CERTAIN  
20 DEPARTMENTS, BOARDS, AND COMMISSIONS; AND PRESCRIBING THE MANNER  
21 IN WHICH THE NUMBER AND COMPENSATION OF THE DEPUTIES AND ALL  
22 OTHER ASSISTANTS AND EMPLOYES OF CERTAIN DEPARTMENTS, BOARDS AND  
23 COMMISSIONS SHALL BE DETERMINED,' CREATING THE DEPARTMENT OF  
24 ENVIRONMENTAL RESOURCES AND DEFINING ITS FUNCTIONS, POWERS AND  
25 DUTIES, TRANSFERRING CERTAIN BOARDS AND COMMISSIONS TO SUCH  
26 DEPARTMENT, ABOLISHING THE SANITARY WATER BOARD, THE AIR  
27 POLLUTION COMMISSION AND CERTAIN OTHER BOARDS AND COMMISSIONS;  
28 PLACING THE NAVIGATION COMMISSION FOR THE DELAWARE RIVER AND ITS  
29 NAVIGABLE TRIBUTARIES IN THE DEPARTMENT OF TRANSPORTATION;  
30 TRANSFERRING THE FUNCTIONS OF THE GEOGRAPHIC BOARD TO THE

1 PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION PLACING THE VALLEY  
2 FORGE PARK COMMISSION AND THE WASHINGTON CROSSING PARK  
3 COMMISSION IN THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION  
4 AND REPEALING INCONSISTENT ACTS."

5 SECTION 509 OF THE ACT OF DECEMBER 5, 1972 (P.L.1280,  
6 NO.284), KNOWN AS THE "PENNSYLVANIA SECURITIES ACT OF 1972."

7 SECTION 3 OF THE ACT OF DECEMBER 30, 1974 (P.L.1075, NO.348),  
8 KNOWN AS THE "INTERSTATE CORRECTIONS COMPACT."

9 SECTION 5, ACT OF MARCH 3, 1978 (P.L.6, NO.3), KNOWN AS THE  
10 "STEEL PRODUCTS PROCUREMENT ACT."

11 SECTIONS 402 AND 502, ACT OF OCTOBER 4, 1978 (P.L.851,  
12 NO.166), KNOWN AS THE "FLOOD PLAIN MANAGEMENT ACT."

13 SECTIONS 10 AND 15, ACT OF OCTOBER 4, 1978 (P.L.864, NO.167),  
14 KNOWN AS THE "STORM WATER MANAGEMENT ACT."

15 SECTION 14, ACT OF NOVEMBER 22, 1978 (P.L.1160, NO.273),  
16 KNOWN AS THE "HISTORIC PRESERVATION ACT."

17 SECTION 903, ACT OF NOVEMBER 26, 1978 (P.L.1274, NO.305),  
18 KNOWN AS THE "CRIMINAL HISTORY RECORD INFORMATION ACT," TO THE  
19 EXTENT IT AUTHORIZES THE INSTITUTION OF AN ACTION BY A  
20 COMMONWEALTH AGENCY BUT THE DUTIES IMPOSED UPON THE ATTORNEY  
21 GENERAL BY THE ACT SHALL NOT BE EFFECTED.

22 SECTION 14, ACT OF APRIL 6, 1979 (P.L.17, NO.5), ENTITLED "AN  
23 ACT ESTABLISHING THE PENNSYLVANIA SAVINGS ASSOCIATION INSURANCE  
24 CORPORATION AND PROVIDING FOR ITS POWERS AND DUTIES."

25 SECTIONS 603(B) AND (F), 814, 815, 816 AND 817, ACT OF JULY  
26 19, 1979 (P.L.130, NO.48), KNOWN AS THE "HEALTH CARE FACILITIES  
27 ACT."

28 SECTION 14, ACT OF MAY 13, 1980 (NO.48), KNOWN AS THE "BLUFF  
29 RECESSION AND SETBACK ACT."

30 SECTIONS 603 AND 604, ACT OF JULY 7, 1980 (NO.97), KNOWN AS

1 THE "SOLID WASTE MANAGEMENT ACT."

2 SECTION 505. LIMITED REPEALS.

3 SO MUCH OF SECTIONS 202 AND 206 AS RELATES TO THE DEPARTMENT  
4 OF JUSTICE AND SO MUCH OF SECTIONS 206, 207.1(D)(1) AND 208(A)  
5 AS RELATES TO THE ATTORNEY GENERAL OF THE ACT OF APRIL 9, 1929  
6 (P.L.177, NO.175), KNOWN AS "THE ADMINISTRATIVE CODE OF 1929,"  
7 ARE REPEALED.

8 SECTION 1517(A) OF TITLE 75 (VEHICLES), ACT OF NOVEMBER 25,  
9 1970 (P.L.707, NO.230), KNOWN AS THE PENNSYLVANIA CONSOLIDATED  
10 STATUTES, IS REPEALED TO THE EXTENT THAT THE ATTORNEY GENERAL IS  
11 MADE A MEMBER OF THE MEDICAL ADVISORY BOARD.

12 ~~SECTION 506. APPLICATION OF ADMINISTRATIVE CODE.~~ <—

13 ~~THE PROVISIONS OF THE ACT OF APRIL 9, 1929 (P.L.177, NO.175),~~  
14 ~~KNOWN AS "THE ADMINISTRATIVE CODE OF 1929," WHICH GENERALLY~~  
15 ~~APPLY TO ALL DEPARTMENTS, BOARDS, AGENCIES AND COMMISSIONS SHALL~~  
16 ~~ALSO APPLY TO THE OFFICE OF ATTORNEY GENERAL AND TO THE OFFICE~~  
17 ~~OF GENERAL COUNSEL EXCEPT WHEN SUCH PROVISIONS OF THE~~  
18 ~~ADMINISTRATIVE CODE ARE EXPRESSLY INCONSISTENT WITH THE~~  
19 ~~PROVISIONS OF THIS ACT.~~

20 ~~SECTION 506-507~~ 506. TRANSITION. <—

21 IN ORDER THAT THERE MAY BE AN ORDERLY, EFFICIENT AND  
22 ECONOMICAL TRANSITION OF GOVERNMENT FOLLOWING THE ELECTION OF A  
23 NEW ATTORNEY GENERAL, THE AUDITOR GENERAL, IN THE FISCAL YEAR  
24 DURING WHICH A NEW ATTORNEY GENERAL IS ELECTED SHALL EMPLOY SUCH  
25 CONSULTANTS, ACCOUNTANTS AND EXPERTS AS SHALL HAVE BEEN SELECTED  
26 IN WRITING BY THE NEW ATTORNEY GENERAL WHO IS HEREBY AUTHORIZED  
27 TO FIX THE COMPENSATION TO BE PAID SUCH PERSONNEL. SUCH NOTICE  
28 TO THE AUDITOR GENERAL SHALL BE GIVEN AT ANY TIME AFTER THE  
29 SECRETARY OF THE COMMONWEALTH AND THE AUDITOR GENERAL HAVE  
30 DETERMINED THE PERSON RECEIVING THE HIGHEST NUMBER OF VOTES FOR

1 THE OFFICE OF ATTORNEY GENERAL AND HAVE INFORMED THE NEW  
2 ATTORNEY GENERAL-ELECT OF SUCH DETERMINATION. SINCE THIS  
3 PERSONNEL IS TO BE ENGAGED FOR A LIMITED PERIOD OF TIME, THEY  
4 SHALL NOT BE ELIGIBLE FOR MEMBERSHIP IN ANY OF THE RETIREMENT  
5 SYSTEMS OF THE COMMONWEALTH, NOR SHALL THEY BE BOUND BY OR  
6 SUBJECT TO THE PROVISIONS OF "THE ADMINISTRATIVE CODE OF 1929,"  
7 PERTAINING TO STATE EMPLOYEES. SUCH PERSONNEL SHALL BE PAID FROM  
8 AN APPROPRIATION NOT TO EXCEED \$75,000 MADE TO THE AUDITOR  
9 GENERAL DURING THE FISCAL YEAR WHEN THE NEW ATTORNEY GENERAL IS  
10 ELECTED. WITHIN 30 DAYS AFTER HIS INAUGURATION THE NEW ATTORNEY  
11 GENERAL SHALL DISPENSE WITH THE SERVICES OF THE TEMPORARY  
12 PERSONNEL OR PLACE SUCH MEMBERS THEREOF AS HE SEES FIT ON THE  
13 PAYROLL OF THE COMMONWEALTH IN THE MANNER PROVIDED BY "THE  
14 ADMINISTRATIVE CODE OF 1929."

15 SECTION ~~507-508~~ 507. APPROPRIATIONS. <—

16 (1) THE SUM OF \$75,000, OR AS MUCH THEREOF AS MAY BE  
17 NECESSARY, IS SPECIFICALLY APPROPRIATED TO THE AUDITOR  
18 GENERAL FOR THE FISCAL YEAR JULY 1, 1980 TO JUNE 30, 1981 FOR  
19 PURPOSES OF FUNDING THE TRANSITION TO AN ELECTED ATTORNEY  
20 GENERAL.

21 (2) THE SUM OF \$25,000, OR AS MUCH THEREOF AS MAY BE  
22 NECESSARY, IS SPECIFICALLY APPROPRIATED TO THE GOVERNOR FOR  
23 THE FISCAL YEAR JULY 1, 1980 TO JUNE 30, 1981 TO FUND THE  
24 ESTABLISHMENT OF THE OFFICE OF GENERAL COUNSEL.

25 SECTION ~~508-509~~ 508. EFFECTIVE DATE. <—

26 SECTIONS 203, 506 AND 507 OF THIS ACT SHALL TAKE EFFECT <—  
27 IMMEDIATELY AND SHALL BE APPLICABLE AS SOON AS PERMITTED UNDER  
28 THE CONSTITUTION OF PENNSYLVANIA; ALL OTHER PROVISIONS SHALL  
29 TAKE EFFECT JANUARY 20, 1981.