

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 887

Session of
1981

INTRODUCED BY DUFFY, WARGO, COCHRAN, COWELL, HORGOS, MULLEN,
GRABOWSKI, SEVENTY AND PENDLETON, MARCH 17, 1981

REFERRED TO COMMITTEE ON EDUCATION, MARCH 17, 1981

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 employees 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 employees of certain departments, boards and
20 commissions shall be determined," imposing additional
21 restrictions on the Department of Education, the Secretary of
22 Education and the State Board of Education and providing for
23 legislative oversight of regulations promulgated by the
24 Department of Education.

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

27 Section 1. The act of April 9, 1929 (P.L.177, No.175), known
28 as "The Administrative Code of 1929," is amended by adding

1 sections to read:

2 Section 1321. Restrictions on Certain Activities.--Except as
3 may be specifically authorized by the General Assembly, neither
4 the Department of Education, nor the Secretary of Education, nor
5 the State Board of Education, shall, by rule, regulation or
6 funding adjustments, directly or indirectly, transfer the
7 special education functions of intermediate units to the local
8 school districts.

9 Section 1322. Oversight.--Every rule or regulation finally
10 adopted by the Department of Education or its Secretary or the
11 State Board of Education shall not take effect unless such rule
12 or regulation is approved by a majority vote of the House of
13 Representatives and the Senate within fifteen legislative days
14 or sixty calendar days following submission or the expiration of
15 fifteen legislative days or sixty calendar days following
16 submission without any action by the House of Representatives or
17 the Senate. For purposes of this section the word submission
18 shall mean the date on which the rule or regulation is finally
19 adopted and transmitted to the Chief Clerk of the House of
20 Representatives and the Secretary of the Senate.

21 Section 2. This act shall take effect immediately.