
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 815 Session of
2001

INTRODUCED BY RYAN, PERZEL, DeWEESE, FEESE, BLAUM AND GANNON,
FEBRUARY 26, 2001

SENATOR BRIGHTBILL, RULES AND EXECUTIVE NOMINATIONS, IN SENATE,
AS AMENDED, JUNE 18, 2001

AN ACT

1 Amending Title 1 (General Provisions) of the Pennsylvania
2 Consolidated Statutes, further providing for notice for local
3 or special legislation; REESTABLISHING THE BOARD OF
4 COMMISSIONERS ON UNIFORM STATE LAWS; AND MAKING REPEALS. <—

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 1102(a) and (e) of Title 1 of the
8 Pennsylvania Consolidated Statutes are amended to read:

9 § 1102. Publication of notice of application for local or
10 special legislation.

11 (a) General rule.--No local or special bill[, either] to
12 [repeal or] enact a local or special statute, shall be passed by
13 the General Assembly, unless notice of the intention to apply
14 therefor shall be published, once a week for four successive
15 weeks, in not less than two newspapers of general circulation,
16 and also in the legal journal, if any, published in the county
17 or in each of the several counties where the matter or thing

1 affected may be. Where the matter or thing affected is in a
2 municipality, publication shall be made in two newspapers of
3 general circulation published in such municipality, if any, and,
4 if none, then in two newspapers published in the county, and, in
5 either event, also in the legal journal, if any, published in
6 the county. Where only one newspaper of general circulation is
7 published in a county or in a municipality, publication in such
8 one newspaper and in the legal journal, if any, shall be deemed
9 sufficient.

10 * * *

11 (e) Exception from notice requirement.--Notice shall not be
12 required to be given under this section of a proposal to repeal
13 a local or special statute by [a] any of the following:

14 (1) A general bill which codifies, compiles or revises
15 the law or any part thereof.

16 (2) A bill which:

17 (i) only eliminates obsolete statutory provisions;
18 and

19 (ii) makes specific reference in its title to that
20 elimination.

21 SECTION 2. TITLE 1 IS AMENDED BY ADDING A PART TO READ:

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22 PART VII. MISCELLANEOUS PROVISIONS

23 CHAPTER

24 31. BOARD OF COMMISSIONERS ON UNIFORM STATE LAWS

25 CHAPTER 31

26 BOARD OF COMMISSIONERS ON UNIFORM STATE LAWS

27 SEC.

28 3101. DEFINITIONS.

29 3102. BOARD ESTABLISHED.

30 3103. POWERS AND DUTIES.

1 § 3101. DEFINITIONS.

2 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
3 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION:

4 "BOARD." THE BOARD OF COMMISSIONERS ON UNIFORM STATE LAWS.

5 § 3102. BOARD ESTABLISHED.

6 (A) ESTABLISHMENT.--THE BOARD OF COMMISSIONERS ON UNIFORM
7 STATE LAWS IS REESTABLISHED WITHIN THE OFFICE OF GENERAL
8 COUNSEL.

9 (B) COMPOSITION.--THE BOARD SHALL BE COMPOSED OF SEVEN
10 COMMISSIONERS, LEARNED IN THE LAW:

11 (1) THE GOVERNOR SHALL APPOINT THREE COMMISSIONERS.

12 (2) THE PRESIDENT PRO TEMPORE OF THE SENATE SHALL
13 APPOINT ONE COMMISSIONER.

14 (3) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL
15 APPOINT ONE COMMISSIONER.

16 (4) THE ATTORNEY GENERAL SHALL SERVE AS AN EX OFFICIO
17 COMMISSIONER.

18 (5) THE GENERAL COUNSEL SHALL SERVE AS AN EX OFFICIO
19 COMMISSIONER.

20 (C) TERMS.--

21 (1) A COMMISSIONER UNDER SUBSECTION (B)(1) SHALL SERVE A
22 TERM OF FOUR YEARS, CALCULATED FROM THE DATE OF APPOINTMENT.

23 (2) A COMMISSIONER UNDER SUBSECTION (B)(2) OR (3) SHALL
24 SERVE AT THE PLEASURE OF THE APPOINTING AUTHORITY.

25 (D) OFFICERS.--THE GENERAL COUNSEL SHALL SERVE AS CHAIRMAN
26 OF THE BOARD.

27 (E) QUORUM.--FOUR COMMISSIONERS CONSTITUTE A QUORUM.

28 § 3103. POWERS AND DUTIES.

29 THE BOARD HAS THE FOLLOWING POWERS AND DUTIES:

30 (1) TO EXAMINE SUBJECTS IT DEEMS NECESSARY.

1 (2) TO ASCERTAIN THE BEST MEANS TO EFFECT AN
2 ASSIMILATION AND UNIFORMITY OF STATE LEGISLATION THROUGHOUT
3 THE UNITED STATES ON THE SUBJECTS EXAMINED UNDER PARAGRAPH
4 (1).

5 (3) TO MEET WITH THE NATIONAL CONFERENCE OF
6 COMMISSIONERS ON UNIFORM STATE LAWS, AT ANNUAL AND OTHER
7 SESSIONS, TO:

8 (I) PROMOTE UNIFORMITY OF STATE LEGISLATION IN THE
9 UNITED STATES; AND

10 (II) JOIN THE CONFERENCE IN MEASURES DEEMED MOST
11 EXPEDIENT TO ADVANCE THE OBJECTIVE OF PARAGRAPHS (1) AND
12 (2).

13 SECTION 3. MEMBERS OF THE BOARD OF COMMISSIONERS ON UNIFORM
14 STATE LAWS ON THE EFFECTIVE DATE OF THIS ACT SHALL CONTINUE AS
15 COMMISSIONERS FOR THE BALANCE OF THEIR TERMS.

16 SECTION 4. THE FOLLOWING ACTS AND PARTS OF ACTS ARE REPEALED
17 TO THE EXTENT SPECIFIED:

18 SECTION 1 OF THE ACT OF APRIL 20, 1917 (P.L.90, NO.55),
19 ENTITLED "AN ACT VALIDATING, TO THE EXTENT ONLY THAT WORK HAS
20 BEEN ACTUALLY DONE, CONTRACTS ENTERED INTO BY ANY COUNTY UNDER
21 THE ACT OF ASSEMBLY DECLARED UNCONSTITUTIONAL, APPROVED MAY
22 ELEVENTH, ONE THOUSAND NINE HUNDRED AND NINE, ENTITLED 'AN ACT
23 PROVIDING FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF
24 PUBLIC HIGHWAYS, BRIDGES, AND TUNNELS IN THE SEVERAL COUNTIES OF
25 THIS COMMONWEALTH; AUTHORIZING THE TAKING OF PROPERTY FOR SUCH
26 IMPROVEMENT, AND PROVIDING FOR THE COMPENSATION THEREFOR AND THE
27 DAMAGES RESULTING FROM SUCH TAKING; PROVIDING FOR THE PAYMENT OF
28 THE COSTS AND EXPENSES INCURRED IN SUCH CONSTRUCTION, OPERATION,
29 AND MAINTENANCE; AND AUTHORIZING THE LEVY OF A TAX AND THE
30 ISSUANCE OF BONDS TO PROVIDE A FUND FOR SAID PURPOSE,' AND

1 PROVIDING FOR THE PAYMENT BY THE COUNTY OF SUCH WORK AS WAS DONE
2 PRIOR TO THE DATE ON WHICH SAID ACT WAS DECLARED
3 UNCONSTITUTIONAL BY THE SUPREME COURT," ABSOLUTELY.

4 SECTION 202 OF THE ACT OF JUNE 7, 1923 (P.L.498, NO.274),
5 KNOWN AS THE ADMINISTRATIVE CODE, TO THE EXTENT THAT IT PLACES
6 THE BOARD OF COMMISSIONERS ON UNIFORM STATE LAWS IN THE
7 DEPARTMENT OF JUSTICE.

8 SECTIONS 404 AND 910 OF THE ACT OF APRIL 9, 1929 (P.L.177,
9 NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929, ABSOLUTELY.

10 Section 2 5. This act shall take effect immediately.

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