

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**SENATE BILL**

**No. 269**      Session of  
2001

INTRODUCED BY MELLOW, MUSTO, O'PAKE, WAGNER, COSTA, BODACK,  
KITCHEN, BOSCOLA, HUGHES AND LOGAN, FEBRUARY 5, 2001

REFERRED TO RULES AND EXECUTIVE NOMINATIONS, FEBRUARY 5, 2001

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled  
2 "An act providing for and reorganizing the conduct of the  
3 executive and administrative work of the Commonwealth by the  
4 Executive Department thereof and the administrative  
5 departments, boards, commissions, and officers thereof,  
6 including the boards of trustees of State Normal Schools, or  
7 Teachers Colleges; abolishing, creating, reorganizing or  
8 authorizing the reorganization of certain administrative  
9 departments, boards, and commissions; defining the powers and  
10 duties of the Governor and other executive and administrative  
11 officers, and of the several administrative departments,  
12 boards, commissions, and officers; fixing the salaries of the  
13 Governor, Lieutenant Governor, and certain other executive  
14 and administrative officers; providing for the appointment of  
15 certain administrative officers, and of all deputies and  
16 other assistants and employes in certain departments, boards,  
17 and commissions; and prescribing the manner in which the  
18 number and compensation of the deputies and all other  
19 assistants and employes of certain departments, boards and  
20 commissions shall be determined," further providing for  
21 gubernatorial appointments; and making editorial changes.

22 The General Assembly of the Commonwealth of Pennsylvania  
23 hereby enacts as follows:

24 Section 1. Section 207.1(c) and (d)(1) and (4) of the act of  
25 April 9, 1929 (P.L.177, No.175), known as The Administrative  
26 Code of 1929, amended or added November 8, 1976 (P.L.1109,  
27 No.227), December 30, 1984 (P.L.1299, No.245) and November 26,

1 1997 (P.L.530, No.57), are amended and the section is amended by  
2 adding a subsection to read:

3 Section 207.1. Gubernatorial Appointments.--\* \* \*

4 (c) The Governor shall nominate in accordance with the  
5 provisions of the Constitution of the Commonwealth of  
6 Pennsylvania and, by and with the advice and consent of two-  
7 thirds of the members elected to the Senate, appoint persons to  
8 fill the following positions:

9 (1) Vacancies in the offices of Auditor General and State  
10 Treasurer and in any other elective office which he is  
11 authorized by law to fill when said law requires confirmation.

12 (2) Those members which he is authorized to appoint to the  
13 Milk Marketing Board, the Pennsylvania Fish and Boat Commission,  
14 the Pennsylvania Game Commission, the Pennsylvania Liquor  
15 Control Board, the Pennsylvania Public Utility Commission and  
16 the Pennsylvania Turnpike Commission.

17 (d) The Governor shall nominate in accordance with the  
18 provisions of the Constitution of the Commonwealth of  
19 Pennsylvania and, by and with the advice and consent of a  
20 majority of the members elected to the Senate appoint persons to  
21 fill the following positions:

22 (1) The Secretary of Education, the Secretary of the  
23 Commonwealth, the Adjutant General, the Insurance Commissioner,  
24 the Secretary of Banking, the Secretary of Agriculture, the  
25 Secretary of Transportation, the Secretary of Health, the  
26 Commissioner of the State Police, the Secretary of Corrections,  
27 the Secretary of Labor and Industry, the Secretary of Aging, the  
28 Secretary of Public Welfare, the Secretary of General Services,  
29 the Secretary of Revenue, the Secretary of [Commerce, the  
30 Secretary of Community Affairs and] Community and Economic

1 Development, the Secretary of [Environmental Resources]  
2 Conservation and Natural Resources and the Secretary of  
3 Environmental Protection.

4 \* \* \*

5 (4) Those members which he is authorized to appoint to the  
6 Delaware Valley Regional Planning Commission, the Pennsylvania  
7 Public Television Network Commission, the State Farm Products  
8 Show Commission, the Pennsylvania Housing Finance Agency, the  
9 Board of Trustees of each State College and University, the  
10 Board of Trustees of Scotland School for Veterans' Children, the  
11 Board of Trustees of Thaddeus Stevens College of Technology, the  
12 State Conservation Commission, the Commonwealth of Pennsylvania  
13 Council on the Arts, the State Planning Board, the Pennsylvania  
14 Drug, Device and Cosmetic Board, the County Board of Assistance  
15 in each county, [the State Board of Public Welfare,] the Boards  
16 of Trustees of Centers, the Board of Trustees of each  
17 Restoration Center, the Board of Trustees of each State General  
18 Hospital, the Board of Trustees of each State School and  
19 Hospital, the Board of Trustees of each State Hospital, the  
20 State [Dental Council and Examining] Board of Dentistry, the  
21 State Real Estate Commission, the State Registration Board for  
22 Professional Engineers, Land Surveyors and Geologists, the State  
23 [Boards of Examiners of] Architects Licensure Board,  
24 [Auctioneers] the State Board of Auctioneer Examiners, State  
25 Board of Examiners of Nursing Home Administrators [and Public  
26 Accountants], the State Boards of Accountancy, Barber Examiners,  
27 Chiropractic [Examiners], Cosmetology, Funeral Directors,  
28 [Medical Education and Licensure, Nurse Examiners, Optometrical  
29 Examiners] Medicine, Nursing, Optometry, Osteopathic [Examiners]  
30 Medicine, Pharmacy, Physical Therapy [Examiners], Podiatry

1 [Examiners], Veterinary [Medical Examiners] Medicine, Landscape  
2 Architects and [Motor Vehicle Manufacturers, Dealers and  
3 Salesmen] Vehicle Manufacturers, Dealers and Salespersons, the  
4 [Pennsylvania] State Board of [Psychologist Examiners]  
5 Psychology, [the State Athletic Commission,] the Pennsylvania  
6 Higher Education Assistance Agency, the Pennsylvania Historical  
7 and Museum Commission, the State Tax Equalization Board, the  
8 Public School Employees' Retirement Board, the State Employees'  
9 Retirement Board, the Municipal Police Officers' Education and  
10 Training Commission, the Consumer Advocate, and the Pennsylvania  
11 Minority Business Development Authority.

12 \* \* \*

13 (h) No person shall be appointed under this section unless  
14 that person provides to the Governor, or in the case of a person  
15 nominated under subsection (c) or (d) files with the Senate at  
16 least ten (10) days before a vote on approval or rejection of  
17 the nomination, upon forms approved by the Department of  
18 Revenue, a statement that:

19 (1) the person has filed all State tax reports and paid all  
20 State taxes;

21 (2) the person has filed a timely administrative or judicial  
22 appeal of State tax liability; or

23 (3) the person is participating in a duly approved deferred  
24 payment plan for State tax liability.

25 Section 2. This act shall take effect in 60 days.