

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

**SENATE BILL**

**No. 806**      Session of  
2001

---

INTRODUCED BY CONTI, MADIGAN, WAUGH, LEMMOND, RHOADES, CORMAN  
AND EARLL, MAY 17, 2001

---

REFERRED TO STATE GOVERNMENT, MAY 17, 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 consent of the Senate required for certain gubernatorial  
22 appointments and for required information; making editorial  
23 changes; and making repeals.

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

26 Section 1. Section 207.1(c), (d) and (g) of the act of April  
27 9, 1929 (P.L.177, No.175), known as The Administrative Code of  
28 1929, amended or added November 8, 1976 (P.L.1109, No. 227),

1 December 30, 1984 (P.L.1299, No.245) and November 26, 1997  
2 (P.L.530, No.57) and repealed in part April 28, 1978 (P.L.202,  
3 No.53), are amended to read:

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

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

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

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

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

24 (1) The Secretary of Education, the Secretary of the  
25 Commonwealth, the Adjutant General, the Insurance Commissioner,  
26 the Secretary of Banking, the Secretary of Agriculture, the  
27 Secretary of Transportation, the Secretary of Health, the  
28 Commissioner of the State Police, the Secretary of Corrections,  
29 the Secretary of Labor and Industry, the Secretary of Aging, the  
30 Secretary of Public Welfare, the Secretary of General Services,

1 the Secretary of Revenue, the Secretary of [Commerce, the  
2 Secretary of Community Affairs and] Community and Economic  
3 Development, the Secretary of Environmental [Resources]  
4 Protection and the Secretary of Conservation and Natural  
5 Resources.

6 (2) Those members which he is authorized to appoint to the  
7 Board of Pardons, the Board of Probation and Parole, the State  
8 Civil Service Commission, the State Horse Racing Commission, the  
9 State Harness Racing Commission, the Board of [Arbitration of]  
10 Claims, the Pennsylvania Securities Commission, the Pennsylvania  
11 Industrial Development Authority, the State Board of Education,  
12 the Board of [State College and University Directors] Governors  
13 of the State System of Higher Education, the Board of Trustees  
14 of Pennsylvania State University, the Board of Trustees of the  
15 University of Pittsburgh, the Board of Trustees of Temple  
16 University, the Board of Trustees of Lincoln University, the  
17 Environmental Hearing Board, [the Pennsylvania Crime  
18 Commission,] The Pennsylvania Fish and Boat Commission, the  
19 Pennsylvania Game Commission, the Pennsylvania Labor Relations  
20 Board, the Pennsylvania Liquor Control Board, the Pennsylvania  
21 Public Utility Commission, the Industrial Board, the Milk  
22 Marketing Board, the Unemployment Compensation Board of Review,  
23 the [Workmen's] Workers' Compensation Appeals Board, the State  
24 Art Commission, [the State Lottery Commission,] the Pennsylvania  
25 Turnpike Commission, the State Transportation Commission and the  
26 Pennsylvania Human Relations Commission.

27 (4) Those members which he is authorized to appoint to the  
28 Delaware Valley Regional Planning Commission, the Pennsylvania  
29 Public Television Network Commission, the State Farm Products  
30 Commission, the Pennsylvania Housing Finance Agency, the [Board

1 of Trustees of each State College and University] Council of  
2 Trustees of each institution of the State System of Higher  
3 Education, the Board of Trustees of Scotland School for  
4 Veterans' Children, the Board of Trustees of Thaddeus Stevens  
5 College of Technology, the State Conservation Commission, the  
6 Commonwealth of Pennsylvania Council on the Arts, the State  
7 Planning Board, the Pennsylvania Drug, Device and Cosmetic  
8 Board, the County Board of Assistance in each county, [the State  
9 Board of Public Welfare,] the Boards of Trustees of Centers, the  
10 Board of Trustees of each Restoration Center, [the Board of  
11 Trustees of each State General Hospital,] the Board of Trustees  
12 of each State School and Hospital, the Board of Trustees of each  
13 State Hospital, the State Dental Council and Examining Board,  
14 the State Real Estate Commission, the State Registration Board  
15 for Professional Engineers, the State Boards of Examiners of  
16 Architects, Auctioneers, Nursing Home Administrators and Public  
17 Accountants, the State Boards of Barber Examiners, Chiropractic  
18 Examiners, Cosmetology, Funeral Directors, Medical Education and  
19 Licensure, Nurse Examiners, Optometrical Examiners, Osteopathic  
20 Examiners, Pharmacy, Physical Therapy Examiners, Podiatry  
21 Examiners, Veterinary Medical Examiners, Landscape Architects  
22 and Motor Vehicle Manufacturers, Dealers and Salesmen, the  
23 Pennsylvania Board of Psychologist Examiners, the State Athletic  
24 Commission, the Pennsylvania Higher Education Assistance Agency,  
25 the Pennsylvania Historical and Museum Commission, the State Tax  
26 Equalization Board, the Public School Employees' Retirement  
27 Board, the State Employees' Retirement Board, the Municipal  
28 Police Officers' Education and Training Commission, [the  
29 Consumer Advocate,] and the Pennsylvania Minority Business  
30 Development Authority.

1 (5) The general officers in the Department of Military  
2 Affairs which he is authorized by law to appoint.

3 (6) All positions hereinafter statutorily created by  
4 amendment to this act or in any other act or amendment thereto  
5 for which Senate confirmation is specified but for which the  
6 advice and consent of two-thirds of the members elected to the  
7 Senate is not required.

8 \* \* \*

9 (g) Whenever the Governor shall nominate to fill a position  
10 for which Senate confirmation is required, [he] the nominee  
11 shall submit to the Senate [with the nomination] a sworn  
12 statement containing information on the nominee, including but  
13 not limited to his voting address, business address if any,  
14 employer, party registration, offices held in political parties  
15 during the past ten years, any public offices held during the  
16 past ten years, records of any criminal convictions other than  
17 summary offenses under 75 Pa.C.S. (relating to vehicles), and  
18 such other information as is agreed upon by the Governor and the  
19 Senate Committee on Rules and Executive Nominations.

20 Section 2. Except for the amendments of section 207.1(g)  
21 which shall be applicable to all nominations submitted to the  
22 Senate commencing 30 days following the enactment of this act,  
23 this act shall be applicable to all nominations other than for  
24 appointments under Article V of the Constitution of Pennsylvania  
25 currently pending before the Senate as well as those submitted  
26 on or after the effective date of this act.

27 Section 3. The following acts and parts of acts are hereby  
28 repealed insofar as they relate to the consent required by the  
29 Senate to appointments by the Governor:

30 Section 201 of the act of April 28, 1937 (P.L.417, No.105),

1 known as the Milk Marketing Law.

2 Section 4 of the act of May 21, 1937 (P.L.774, No.211),  
3 referred to as the Pennsylvania Turnpike Commission Act.

4 Section 201 of the act of April 12, 1951 (P.L.90, No.21),  
5 known as the Liquor Code.

6 Section 409 of the act of July 28, 1953 (P.L.723, No.230),  
7 known as the Second Class County Code.

8 Section 409 of the act of August 9, 1955 (P.L.323, No.130),  
9 known as The County Code.

10 Section 202 of the act of October 15, 1980 (P.L.950, No.164),  
11 known as the Commonwealth Attorneys Act.

12 Section 5 of the act of September 30, 1985 (P.L.240, No.61),  
13 known as the Turnpike Organization, Extension and Toll Road  
14 Conversion Act.

15 30 Pa.C.S. § 301.

16 34 Pa.C.S. § 301.

17 66 Pa.C.S. § 301.

18 Section 4. This act shall take effect immediately.