

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION**No. 247** Session of
2011

INTRODUCED BY CALTAGIRONE, BRENNAN, COHEN, D. COSTA, CUTLER,
FABRIZIO, KORTZ, KOTIK, MILNE, MURT, READSHAW AND REICHLLEY,
APRIL 27, 2011

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF
REPRESENTATIVES, AS AMENDED, OCTOBER 1, 2012

A RESOLUTION

1 Directing the Joint State Government Commission to study and
2 make recommendations to the General Assembly on the practice
3 of administrative law before the Commonwealth's hearing
4 boards.

5 WHEREAS, Several departments and independent agencies of the
6 Commonwealth engage in adjudicatory review of actions which the
7 department, independent agency or the public initiate in order
8 to further the department's purposes; and

9 WHEREAS, Although Title 2 of the Pennsylvania Consolidated
10 Statutes provides for a uniform system of adjudicatory review,
11 it does not provide for efficiency in hiring and training of
12 hearing officers and administrative law judges, nor does it
13 provide for uniform docketing procedures and centralized
14 publication of adjudicatory decisions; and

15 WHEREAS, The legislative and executive branches of government
16 in the Commonwealth engage in investigating cost-cutting
17 measures in order to create balanced and fair budgets; and

18 WHEREAS, Streamlining the adjudicatory practice of

1 administrative law could be a means to cut costs for future
2 budgets and help shape a balanced budget; therefore be it

3 RESOLVED, That the House of Representatives direct the Joint
4 State Government Commission to study and make recommendations to
5 the General Assembly on the practice of administrative law
6 within the Commonwealth; and be it further

7 RESOLVED, In conducting this study, the Joint State
8 Government Commission is urged to identify areas for improvement
9 and reform, including, but not limited to, the following:

10 (1) Identification of uniform professional
11 qualifications and standards of hearing officers and
12 administrative law judges.

13 (2) Identification of a centralized system for selection
14 and oversight of all hearing officers and administrative law
15 judges.

16 (3) Identification of need and assignment of
17 responsibility based on subject matter specificity.

18 (4) Separation of advocacy and adjudicatory roles within
19 each agency.

20 (5) Determination of the need to create a uniform and
21 understandable docketing system.

22 (6) Identification of a centralized publicly accessible
23 system to improve access to decisions and opinions.

24 (7) The need for consistent use of the rules of
25 evidence.

26 (8) Identification of possible cost savings by
27 eliminating duplication and redundancy and by enhancing
28 ability to use resources to meet current needs;

29 and be it further

30 RESOLVED, That the Joint State Government Commission file its

1 report with the State Government Committee of the House of
2 Representatives no later than ~~nine~~ 12 months after the passage ←
3 of this resolution.