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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 209 Session of  
2017

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INTRODUCED BY PHILLIPS-HILL, BARRAR, BLOOM, BOBACK, GABLER,  
GILLEN, GROVE, IRVIN, KAUFFMAN, MACKENZIE, MENTZER, ROTHMAN,  
RYAN, SACCONI, SOLOMON, WARD AND ZIMMERMAN, JANUARY 25, 2017

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 25, 2017

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AN ACT

1 Establishing the Independent Office of the Repealer and  
2 providing for its power and duties.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Independent  
7 Office of the Repealer Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall  
10 have the meanings given to them in this section unless the  
11 context clearly indicates otherwise:

12 "Committee." The Selection and Organization Committee in the  
13 office.

14 "Director." The director of the office.

15 "Office." The Independent Office of the Repealer.

16 Section 3. Establishment.

17 There is established a nonpartisan Independent Office of the

1 Repealer. The office shall be an independent agency.

2 Section 4. Powers and duties of office.

3 The office shall have the following powers and duty to:

4 (1) Adopt logical, quantitative and qualitative rules to  
5 determine whether an existing statute or regulation of the  
6 Commonwealth is:

7 (i) Unreasonable, unduly burdensome, detrimental to  
8 economic well-being, duplicative, onerous, defective or  
9 in conflict with another statute or regulation.

10 (ii) Defying a common sense approach to government.

11 (2) Perform a systemic review of existing statutes and  
12 regulations of this Commonwealth in accordance with the rules  
13 adopted for review under this act.

14 (3) Identify existing statutes and regulations which may  
15 be appropriate for legislative and executive agency  
16 modification, revision or repeal.

17 (4) Establish as soon as practical a system with a  
18 publicly accessible Internet website that allows the office  
19 to receive:

20 (i) Suggestions and comments, along with supporting  
21 documentation, for modification, revision or repeal from  
22 citizens, businesses, government agencies or others.

23 (ii) Reports on allegations of wasteful governmental  
24 practices.

25 (5) Determine and implement internal policies, standards  
26 and procedures as may be necessary for the orderly and  
27 efficient execution of the mission of the office.

28 (6) Implement a tracking system to follow all  
29 submissions and actions taken on a recommendation made by the  
30 director which includes progress of modification, revision or

1 repeal.

2 (7) By June 30 of each year, report to the General  
3 Assembly and the Governor on:

4 (i) Recommended changes to statutes and regulations.

5 (ii) Recommended changes to increase efficiency and  
6 eliminate wasteful practices.

7 (iii) Progress of the revision, repeal or abrogation  
8 of statutes and regulations.

9 Section 5. Membership and appointments.

10 (a) Committee.--The committee established in the office  
11 shall:

12 (1) Consist of the following members:

13 (i) One member appointed by the Governor.

14 (ii) One member appointed by the President pro  
15 tempore of the Senate in consultation with the Majority  
16 Leader and the Minority Leader of the Senate.

17 (iii) One member appointed by the Speaker of the  
18 House of Representatives in consultation with the  
19 Majority Leader and the Minority Leader of the House of  
20 Representatives.

21 (2) Select the director of the office in accordance with  
22 the following:

23 (i) The committee shall publish qualifications of  
24 the director in the Pennsylvania Code and Bulletin within  
25 90 days of the first meeting of the committee.

26 (ii) The appointment may not be made on the basis of  
27 political affiliation.

28 (iii) The appointment shall be made on the basis of  
29 the fitness to perform the duties of the office based on  
30 the published qualifications.

1 (b) Director.--The director shall serve in accordance with  
2 the following:

3 (1) The selection of the director shall occur no later  
4 than July 1, 2018.

5 (2) The director shall serve for a term of six years.

6 (3) An individual appointed as director to fill a  
7 vacancy prior to the expiration of a term shall only serve  
8 for the unexpired portion of the term.

9 (c) Deputy director.--The director shall appoint a deputy  
10 director who shall have the following duties:

11 (1) Perform assigned duties from the director.

12 (2) Assume the role of the director:

13 (i) during an absence or incapacity of the director;

14 or

15 (ii) if a vacancy occurs in the position of director  
16 until a successor director is appointed.

17 (d) Removal.--The director may be removed by a concurrent  
18 resolution passed by the Senate and the House of  
19 Representatives.

20 Section 6. Director.

21 The director shall have the following powers and duties:

22 (1) The authority to:

23 (i) Determine and implement internal policies,  
24 standards and protocols to orderly and efficiently carry  
25 out the mission of the office under this act.

26 (ii) Procure the temporary or intermittent service  
27 of attorneys, experts, consultants or organizations by  
28 contract.

29 (2) Hire and fix compensation in accordance with the  
30 following:

1 (i) The hiring and appointments shall be made on the  
2 basis of the duties of the office and the performance of  
3 the functions of the office.

4 (ii) All personnel shall be hired or appointed  
5 without regard to political affiliation.

6 (iii) Hiring and appointments shall be based on  
7 fitness to perform the necessary duties.

8 Section 7. Notice.

9 (a) Transmittal of notice.--When the office determines that  
10 a statute or regulation meets the standards set under this act  
11 and as set by the director for modification, revision or repeal,  
12 the director shall recommend the action to:

13 (1) The General Assembly if a statute needs to be  
14 modified, revised or repealed.

15 (2) The State department or agency which created the  
16 regulation that needs to be modified, revised or repealed.

17 (b) Details.--A recommendation from the office shall provide  
18 specific details why the office is recommending that the statute  
19 or regulation needs to be modified, revised or repealed.

20 Section 8. Records.

21 The office shall be a legislative agency for the purposes of  
22 the act of February 14, 2008 (P.L.6, No.3), known as the Right-  
23 to-Know Law.

24 Section 9. Sunset.

25 This act shall expire June 30, 2024.

26 Section 10. Effective date.

27 This act shall take effect immediately.