

No. 148

AN ACT

HB 1418

Amending the act of April 9, 1929 (P.L.177, No.175), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," further providing for the membership of the State Board of Examiners of Public Accountants and providing for a State Board of Physical Therapy Examiners in the Department of State.

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

Section 1. As much as applies to the Department of State in section 202, act of April 9, 1929 (P.L.177, No.175), known as "The Administrative Code of 1929," amended October 21, 1972 (P.L.985, No.244) and repealed in part March 1, 1974 (P.L.125, No.31), is amended to read:

Section 202. Departmental Administrative Boards, Commissions, and Offices.—The following boards, commissions, and offices are hereby placed and made departmental administrative boards, commissions, or offices, as the case may be, in the respective administrative departments mentioned in the preceding section, as follows:

In the Department of State,

Commissioner of Professional and Occupational Affairs,
State Real Estate Commission,
State Board of Medical Education and Licensure,
State Board of Physical Therapy Examiners,
State Board of Pharmacy,
State Dental Council and Examining Board,
State Board of Optometrical Examiners,
State Board of Osteopathic Examiners,
State Board of Nurse Examiners,

State Board of Barber Examiners,
 State Board of Cosmetology,
 State Board of Veterinary Medical Examiners,
 State Board of Chiropractic Examiners,
 State Board of Podiatry Examiners,
 State Board of Examiners of Public Accountants,
 State Board of Examiners of Architects,
 State Registration Board for Professional Engineers,
 State Board of Funeral Directors,
 State Board of Examiners of Nursing Home Administrators,
 State Board of Auctioneer Examiners.

* * *

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act.

Section 2. The act is amended by adding a section to read:

Section 412.1. Board Membership; Vacancies; Expenses; Meetings.—*(a) There is hereby created the State Board of Physical Therapy Examiners to administer the act of October 10, 1975 (No.110), known as the "Physical Therapy Practice Act."*

(b) The composition of the board shall be five members, all of whom shall be residents of Pennsylvania. Four members shall be physical therapists licensed to practice in the Commonwealth, each having had at least five years of experience as a physical therapist, three years of which must have immediately preceded the appointment to the board. The remaining member shall be a representative of the public. The members of the board shall be appointed by the Governor. The Pennsylvania Physical Therapy Association shall submit a list of names to the Governor for his consideration in making appointments or filling vacancies to the board with respect to the physical therapy members. The terms of the members of the board shall be three years from the respective date of their appointment and no member shall be appointed for more than two consecutive terms.

(c) Each board member shall receive actual traveling, hotel, food and other necessary expenses incurred while engaged in the discharge of official duties, as well as a per diem allowance of fifty dollars (\$50).

(d) There shall be four stated meetings of the board each year at a place within the Commonwealth as determined by the board for the transaction of its business, but the board may hold special meetings, at its discretion and by vote of the majority upon due notice thereof to all members of the board.

(e) Three members of the board shall constitute a quorum.

Section 3. Section 421 of the act, amended May 2, 1949 (P.L.781, No.193), is amended to read:

Section 421. State Board of Examiners of Public Accountants.—The State Board of Examiners of Public Accountants

shall consist of [the Superintendent of Public Instruction, and five members, two of whom shall be appointed from the eastern part of the State, two from the western part, and one from the central part. Three of them shall be certified public accountants, holding degrees of the same from the Commonwealth of Pennsylvania. The other two shall be practicing attorneys, in good standing in any of the courts of the Commonwealth.]

The terms of the members of the board shall be four years from the respective dates of their appointment.

Three members of the board shall constitute a quorum.

The board shall select, from among their number, a chairman, and shall elect a secretary who need not be a member of the board.

Each member of the board, other than the Superintendent of Public Instruction, shall receive fifteen dollars per diem, when actually engaged in the work of the board, and the secretary shall receive such reasonable compensation as the board shall determine, with the approval of the Superintendent of Public Instruction.] *eight members, one of whom shall be the Commissioner of Professional and Occupational Affairs in the Department of State and the seven remaining members shall be appointed by the Governor as follows:*

(1) *six members shall be certified public accountants who have held certificates of certified public accountant issued by this Commonwealth for at least ten years immediately preceding their appointment, all of whom are holders of live permits as required under the act of May 26, 1947 (P.L.318, No.140), known as "The C.P.A. Law," and four of whom have been actively engaged in the practice of public accounting as their principal occupation at the time of their appointment. Two members shall be appointed from the eastern part of the State, two from the western part, and two from the central part. No member of the board shall be a teacher or instructor in any coaching school which has as its primary purpose preparation for the examination under "The C.P.A. Law," or any person who has a financial interest in such coaching school. The Governor may appoint members to the board from a list of qualified persons submitted to him by the Council of the Pennsylvania Institute of Certified Public Accountants; and*

(2) *one member shall be a person representing the public at large. Such public member shall not be affiliated in any manner with the profession and shall not hold public office during the term of membership on the board.*

The terms of the members of the board shall be four years from the respective dates of their appointment. No board member shall serve more than two consecutive four-year terms and shall not be eligible for reappointment until after four years have elapsed.

Five members of the board shall constitute a quorum. The board shall select, from among their number, a chairman, and shall elect a secretary who need not be a member of the board.

Section 4. All acts and parts of acts are hereby repealed in so far as they are inconsistent herewith.

Section 5. This act shall take effect immediately.

APPROVED—The 16th day of December, A. D. 1975.

MILTON J. SHAPP