

## No. 1982-310

## AN ACT

## SB 1292

Amending the act of December 22, 1981 (P.L.508, No.142), entitled "An act requiring the termination of certain agencies of State Government under certain circumstances, creating a Leadership Committee with certain powers and duties and imposing powers and duties upon the Legislative Budget and Finance Committee," further providing for the powers and duties of the Leadership Committee, evaluation and review, termination of agencies, reestablishment or continuation of agencies and newly created agencies; making an editorial change; and making repeals.

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

Section 1. Paragraph (3) of section 4, subsection (f) of section 5, subsections (a) and (b) of section 6, subsection (a) of section 7 and section 8, act of December 22, 1981 (P.L.508, No.142), known as the "Sunset Act," are amended to read:

Section 4. Powers and duties of the Leadership Committee.

The committee shall have the power and its duty shall be:

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(3) [To utilize and assign the staff of the Legislative Budget and Finance Committee, for the purpose of conducting performance audits, which duty shall be the priority of the Legislative Budget and Finance Committee.] *To assign tasks to the Legislative Budget and Finance Committee for the purpose of conducting performance audits. Such tasks shall receive priority from the Legislative Budget and Finance Committee. The Leadership Committee may waive, by majority vote, the requirement that the performance audit be completed in accordance with United States General Accounting Office standards as described in section 2 under the following circumstances:*

(i) *the agency has not held any meetings or considered any cases for a period of three years or more; or*

(ii) *the agency has a budget of less than \$100,000 annually unless the agency is a departmental board or commission within the Bureau of Professional and Occupational Affairs, Department of State.*

*In the event that the United States General Accounting Office standards are waived, the Leadership Committee shall direct the Legislative Budget and Finance Committee to complete a summary audit in lieu of the performance audit, and specify the scope of such audit by September 1 of the year prior to the agency's termination.*

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Section 5. Evaluation and review.

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(f) On or before March 1 of the year in which the agency in question

is scheduled for termination, the standing committees designated by the Leadership Committee as responsible for the evaluation and review of the agency shall receive:

(1) from the Legislative Budget and Finance Committee, a performance audit *or summary audit*; and

(2) from the Legislative Reference Bureau, a report outlining all legislation, then in effect, pertaining to the creation, operation, duties, powers and funding of the agency.

**Section 6. Termination of agencies.**

(a) The following agencies together with their corresponding statutory functions and duties shall terminate all activities and shall go out of existence on December 31, 1983:

**[The Bicentennial Commission of Pennsylvania.]**

The State Board of Examiners of Public Accountants.

The State Farm Products Show Commission.

The State Board of Examiners of Architects.

The Milk Marketing Board.

The State Board of Auctioneer Examiners.

The Pennsylvania Labor Relations Board.

The State Board of Barber Examiners.

The Pennsylvania Securities Commission.

The State Board of Cosmetology.

The State Board of Funeral Directors.

The State Real Estate Commission.

The State Registration Board for Professional Engineers.

The State Board of Landscape Architects.

The State Board of Motor Vehicle Manufacturers, Dealers and Salesmen.

The State Board of Private Trade Schools.

The State Workmen's Insurance Board.

The Citizens Advisory Council (DER).

The Environmental Quality Board.

The Savings Association Board.

The Hazardous Substance Transportation Board.

The Crime Victim's Compensation Board.

**[The Pennsylvania Commission on Crime and Delinquency.]**

(b) The following agencies together with their corresponding statutory functions and duties shall terminate all activities and shall go out of existence on December 31, 1985:

The Pennsylvania Liquor Control Board.

The State Board of Chiropractic Examiners.

The Pennsylvania Public Utility Commission.

The State Board of Medical Education and Licensure.

The Governor's Council on Drug and Alcohol Abuse.

The State Board of Nurse Examiners.

The Pennsylvania Drug, Device and Cosmetic Board.

The State Board of Examiners of Nursing Home Administrators.

**[The State Highway and Bridge Authority.]**

The State Board of Optometrical Examiners.  
 The State Transportation Commission.  
 The State Board of Osteopathic Medical Examiners.  
 The State Soil Conservation Commission.  
 The State Board of Pharmacy.  
 The State Board of Podiatry Examiners.  
 The Pennsylvania Board of Psychologist Examiners.  
 The Commission on Charitable Organizations.  
 The State Board of Veterinary Medical Examiners.  
 The State Board of Public Welfare.  
 The State Board of Physical Therapy Examiners.  
 The Pennsylvania Housing Finance Agency.  
 The State Harness Racing Commission.  
 The State Horse Racing Commission.  
 The Pennsylvania Commission on Sentencing.  
 The Pennsylvania Board of Probation and Parole.  
 The Pennsylvania Crime Commission.  
 The Pennsylvania Human Relations Commission.  
 The State Dental Council and Examining Board.  
*The Pennsylvania Commission on Crime and Delinquency.*

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**Section 7. Reestablishment or continuation of agencies.**

(a) Any agency scheduled for termination under this act, may be reestablished by the General Assembly, by legislation. Each reestablishment as provided in this subsection or continued as provided in subsection (b) shall be:

(1) for a period of [six] *ten* years unless otherwise specified in the legislation and again be subject to evaluation, review and termination as provided in the act; and

(2) by legislation in a separate bill, in which no more than one agency shall be reestablished and such agency shall be mentioned in the title of the bill.

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**Section 8. Newly created agencies.**

A statutory agency created after January 1, 1981 shall be scheduled for termination at the conclusion of the [sixth] *tenth* year following its creation unless otherwise specified by the General Assembly at its creation.

**Section 2.** (a) Section 11 of the act of June 20, 1978 (P.L.477, No.70), entitled "An act 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 offi-

cers; 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,' creating the Department of Aging and prescribing its functions, powers and duties," is repealed.

(b) Section 12 of the act of November 22, 1978 (P.L.1166, No.274), entitled "An act establishing the Pennsylvania Commission on Crime and Delinquency, providing for its powers and duties establishing several advisory committees within the commission and providing for their powers and duties," is repealed.

Section 3. This act shall take effect in 60 days.

APPROVED—The 16th day of December, A. D. 1982.

DICK THORNBURGH