
GUBERNATORIAL APPOINTMENTS

REQUIRING

SENATORIAL ADVICE AND CONSENT



General Assembly of the Commonwealth of Pennsylvania
JOINT STATE GOVERNMENT COMMISSION
March 2003

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Staff Report
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The release of this report should not be interpreted as an endorsement by the members of the Executive Committee of the Joint State Government Commission of all the findings, recommendations and conclusions contained in this report.

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The Joint State Government Commission was created by the act of July 1, 1937 (P.L.2460, No.459) as amended, as a continuing agency for the development of facts and recommendations on all phases of government for the use of the General Assembly.

JOINT STATE GOVERNMENT COMMISSION, 2003

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INTRODUCTION

The following tables list gubernatorial appointments requiring senatorial advice and consent.¹ The first list contains the positions requiring consent of a majority of the members elected to the Senate. The second list shows the positions requiring advice and consent of two-thirds of the members elected to the Senate. Appointments made by the Governor requiring no senatorial consent are excluded from these lists as are appointments made by members of the General Assembly. Also excluded are the appointments that the Governor is authorized to make when vacancies occur in elective offices, regardless of any requirement of senatorial consent.

These tables include enactments through December 31, 2002.

¹Advise and consent is a term of art and used interchangeably with other synonymous terms. Pa. Const. art. 4, § 8(a) uses the term consent. Before this section was amended in 1967, it used the more popular term, advice and consent. Indeed, Administrative Code § 207.1; 71 P.S. § 67.1, uses the term, advice and consent. Another term used, albeit less frequently, is confirm or a variation thereof; e.g., act of December 17, 1981, P.L.435, No.135, § 102; 4 P.S. § 325.102. Still another synonymous term and also used relatively infrequently in this context is approval; e.g., act of October 15, 1980, P.L.950, No.164, § 201(b); 71 P.S. § 732-201(b). When a specific statute is discussed, the precise term used in that statute is referenced. When discussing generally senatorial approval of appointees, the most prevalently used term, advice and consent, or the shorter version, consent, is referenced. No semantic distinction is intended for purposes of legal analysis.

CONTENTS OF THE TABLES

Both tables contain identical column headings. The first column, agency or position, displays any appointments made by the executive that require advice and consent of the Senate. The appointments could be positions on departmental or independent administrative boards and commissions, departmental or independent administrative bodies, departmental administrative officers and advisory boards and commissions. The authorized appointing authority for every included position except that of the Consumer Advocate² is the Governor. All positions are listed in an alphabetized arrangement.

The second column on each page contains a citation to Laws of Pennsylvania and Purdon's Pennsylvania Statutes or Pennsylvania Consolidated Statutes. When more than one section relates to the agency or position, the section relating to composition of membership rather than the section relating to the creation or establishment of the agency or position is cited.

The third column, Gubernatorial appointments, contains a figure representing the number of members who are to be appointed by the Governor with the advice and consent of members elected to the Senate. The figure excludes membership that is statutorily designated. For example, the Agricultural Lands Condemnation Approval Board has six members, yet only two of those are appointments to be made by the Governor that require senatorial advice and consent. The statute creating this independent administrative board, Administrative Code § 306; 71 P.S. 106, specifies the other four members.³

The final column contains the terms of members appointed by the Governor by and with senatorial advice and consent. For example, the Secretary of Labor and Industry or his designee is chairman of the board of the Industrial Board. Administrative Code § 445(b); 71 P.S. § 155(b). All members other than this statutorily designated member are appointed by the Governor for terms of four years, Administrative Code § 445(a), (e); 71 P.S. § 155(a), (e); therefore, the listing for the Industrial Board only lists the six members appointed by the Governor and describes only their terms. The description of terms is virtually a verbatim restatement of the statutory reference to the term of members appointed except to fill a vacancy. Moreover, when the statute indicates that terms are staggered, this is also reflected. The tables show approximately 1,600 appointments that are made by the executive and require senatorial advice and

²The Attorney General appoints the Consumer Advocate. Act of October 15, 1980, P.L.950, No.164, § 201(b); 71 P.S. § 732-201(b).

³The statutorily designated members are: the Director of the Office of Policy and Planning or his designee, the Secretary of Agriculture or his designee, the Secretary of Environmental Resources or his designee and the Secretary of Transportation or his designee. Administrative Code § 306(a); 71 P.S. § 106(a).

consent. The figure is imprecise because the number of appointments to some agencies is flexible. The most notable entry reflecting such imprecision is County Board of Assistance in each county.

Note that Administrative Code § 208; 71 P.S. § 68, is typically cited for the terms of office listed for departmental secretaries. This section of the Administrative Code preceded the 1967 amendment to Pa. Const. art. 4, § 3, which enables a Governor to succeed himself for one additional term of four years.

GENERAL LEGAL BACKGROUND

Students of revolutionary America recall the constitutional debates regarding executive power vested in and limitations placed upon a President of the United States of America.

[H]e shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments . . . shall be established by Law; but the Congress may by Law vest the Appointment of such inferior Officers . . . in the President alone, in the Courts of Law, or in the Heads of Departments. U.S. Const. art. 2, § 2, cl. 2.

The Commonwealth of Pennsylvania did not subject executive appointments to senatorial confirmation until 1838, when it began to reflect the federal scheme insofar as it required senatorial advice and consent for gubernatorial appointments of all judicial officers of courts of record, Pa. Const. art. II, § 8 (1838), and allowed law to direct appointment of officers unprovided for in the constitution, *id.* at art. VI, § 8 (1838). A new constitution (1874) expanded the role of senatorial confirmation of gubernatorial appointments by including nominations of other officers of the Commonwealth and by requiring senatorial advice and consent of a supermajority for gubernatorial appointments to assure meritorious selection of officers rather than political selection of officers. See Debates of the Convention to Amend the Constitution of Pennsylvania Convened at Harrisburg, November 12, 1872 (Harrisburg: Benjamin Singerly, State Printer, 1873); vol. 5, 208-09.

By 1973, the constitutional provision relating to appointing power, Pa. Const. art. 4, § 8, had been amended twice and the President Pro Tempore of the Senate appointed a committee to review and study the entire Senate confirmation procedure that the Senate follows. 1973 Senate Resolution Serial No. 11, adopted February 6, 1973. The special committee unanimously recommended procedural change to remove or reduce “the inefficiencies and serious abuses that . . . undermine the confirmation process.” Special Committee to Study Confirmation Procedure, Senate Confirmation of the Governor's Appointments (November 1973).

Subsequent to transmission of the report, laws (including the constitution) were changed. "The appointment of . . . officers as may be specified by law, shall be subject to the consent of two-thirds or a majority of the members elected to the Senate as specified by law." Pa. Const. art. 4, § 8(a). Prior to the 1975 amendment, the level of consent required was two-thirds of the members elected to the Senate. The year following this constitutional amendment, the Administrative Code of 1929 was also amended to specify which gubernatorial appointments require consent of two-thirds of the members elected to the Senate and which gubernatorial appointments require consent of a majority of the members elected to the Senate.

"Careful review of confirmations over the past decades reveals that actual practice has not always been in consistent compliance with the constitutional and statutory provisions governing confirmation of gubernatorial appointments. Confusion exists concerning which appointees require confirmation and why some positions require confirmation and others do not." Supra, Special Committee to Study Confirmation Procedure. The special committee published its recommendations to change procedure. As indicated in the preceding paragraph, reform was legislated relatively soon thereafter; however, there was no particular review by the General Assembly of the resulting reforms for a period lasting almost 20 years. This republished review reflects the changes that occurred during the 183rd through 186th regular sessions of the General Assembly.

Between the amendment of art. 4, § 8, in 1967 and its amendment in 1975 (which retained the senatorial consent requirement of a supermajority and added the option of a simple majority), the Commonwealth Court had already determined that gubernatorial appointments required senatorial approval from two-thirds of the members elected to the Senate or no approval. "Senatorial approval is *now necessary only* in those instances where senatorial approval is *specifically* mandated by the Constitution or by statute." Crisconi v. Shapp, 5 Pa. Commonwealth Ct. 275, 280 (1972) (emphasis in original). The critical verbiage through which the Commonwealth Court ruled that the 1967 amendment to this section permitted gubernatorial appointments without senatorial consent is the phrase, "as may be specified by law." Between 1874 and 1967, the two-thirds consent requirement applied to officers of the Commonwealth appointed by the Governor which the constitution or law may authorize. Between 1967 and 1975, the two-thirds consent requirement applied to gubernatorial appointments of "officers as may be specified by law." In other words, if the law specified consent, the supermajority level was required; if the law did not specify consent, no consent was required. Three years after this ruling, the third option, consent of a simple majority of the members elected to the Senate, was added when the section was again amended following the special committee's recommendations.

Most of current confusion regarding the necessity or level of senatorial consent required is attributable to three main items. First, the statutes are in disarray. The Administrative Code dates from 1929, whereas the preceding Administrative Code, act of June 7, 1923, P.L.498, No.274, § 1, et seq.; 71 P.S. §§ 1-32, existed for only six years before another Administrative Code was enacted. The amendments to this code during the last 74 years have resulted in outdated and inconsistent provisions as well as disorganization. The second main cause of confusion is the section relating to gubernatorial appointments. Administrative Code § 207.1; 71 P.S. § 67.1. This section would contain a definitive list if it were amended as often as successive legislation creates and recreates positions or abolishes positions for gubernatorial appointments. Instead, it provides a snapshot view of those gubernatorial appointments that require senatorial advice and consent so long as those positions were established prior to November 1976.⁴ Indeed, one must look well beyond the Administrative Code to discover all gubernatorial appointments including those requiring senatorial advice and consent. The aforementioned two items lead to the third main area of confusion, actual practice. Examples of each of these three main items were published in previous years' version of this document.

The Governor is also authorized to fill vacancies to some elective offices in a similar manner, Pa. Const. art. 4, § 8(b); however, gubernatorial appointments to elective offices and other irregularly occurring appointments are excluded from the accompanying tables. For example, vacancies in the office of justice or judge shall be filled by appointment by the Governor with the advice and consent of two-thirds of the members elected to the Senate. Pa. Const. art. 5, § 13(b). Vacancies in the office of justice of the peace are filled by gubernatorial appointment with the advice and consent of a majority of the members elected to the Senate. *Id.* All vacancies in county government offices that are filled by officers elected at municipal elections, *inter alia* sheriffs, prothonotaries, etc. "shall be filled in such a manner as provided by law." Pa. Const. art. 9, § 4.

⁴It is somewhat misleading to characterize this section as a snapshot. A subsection and a paragraph were deleted by the act of April 28, 1976, P.L. 202, No.53, § 2(a). Moreover, two secretaries were added by the acts of June 20, 1978, P.L.477, No.70, § 4, and December 30, 1984, P.L.1299, No.245, § 2. Other amendments changed the name of a State school and eliminated references to three boards, a council and an agency. Acts of February 17, 1984, P.L.75, No.14, § 2; and November 26, 1997, P.L.530, No.57, § 2. These amendments, however, failed to keep Administrative Code § 207.1 currently accurate. It still contains references to entities that no longer exist and refers to some boards and commissions by obsolete names. Act of December 30, 2002, P.L. __, No.231, §1, corrected references to departmental secretaries and the names of three boards and a council, reduced the number of boards and commissions whose appointments require advice and consent of 2/3 of the members elected to the Senate and eliminated references to two commissions and two boards that no longer exist, as well as the Consumer Advocate.

**APPOINTMENTS REQUIRING CONSENT OF A MAJORITY
OF THE MEMBERS ELECTED TO THE SENATE**

Agency or position	Citation	Gubernatorial Appointments	Terms
Adjutant General	Administrative Code § 207.1; 71 P.S. § 67.1	One	Four years from the third Tuesday of January next following the election of a Governor, and until successor shall have been appointed and qualified ⁵
Advisory Committee on Probation	Act of August 6, 1941, P.L.861, No.323, § 16.1; 61 P.S. § 331.16a	Seven	Four years and until their successors have been appointed and qualified, but in no event more than 90 days beyond the expiration of their appointed term
Aging, Pennsylvania Council on	Administrative Code § 2204-A; 71 P.S. § 581-4	Twenty-one	Three years and until their successors are appointed and qualified, staggered
Aging, Secretary of	Administrative Code § 207.1; 71 P.S. § 67.1	One	Four years from the third Tuesday of January next following the election of a Governor and until successor shall have been appointed and qualified ⁶
Agricultural Lands Condemnation Approval Board	Administrative Code § 306; 71 P.S. § 106	Two	Four years
Agriculture, Secretary of	Administrative Code § 207.1; 71 P.S. § 67.1	One	Four years from the third Tuesday of January next following the election of a Governor and until successor shall have been appointed and qualified ⁷
Allentown State Hospital Board of Trustees	Administrative Code § 401; 71 P.S. § 111	Nine	Six years from the date of the expiration of the preceding term
Animal Health and Diagnostic Commission	Act of December 14, 1988, P.L.1198, No.148, § 3; 3 P.S. § 430.3	Nine	Four years and hold office until his successor has been duly appointed and qualified according to law but no longer than six months beyond the period to which the member was appointed, staggered
Appalachian States Low-Level Radioactive Waste Commission	Act of February 9, 1988, P.L.31, No.12, § 701; 35 P.S. § 130.701	Eight	Governor's pleasure
Architects Licensure Board	Act of December 14, 1982, P.L.1227, No.281, § 4; 63 P.S. § 34.4	Seven	Four years or until his successor is appointed and qualified, staggered

⁵Administrative Code § 208(c); 71 P.S. § 68(c).

⁶Id.

⁷Id.

**APPOINTMENTS REQUIRING CONSENT OF A MAJORITY
OF THE MEMBERS ELECTED TO THE SENATE**

Agency or position	Citation	Gubernatorial Appointments	Terms
Arts, Council on the, Commonwealth of Pennsylvania	Act of January 25, 1966, 1965 P.L.1542, No.538, § 1; 71 P.S. § 1530.1 ⁸	Fifteen	Three years and shall hold office until successors have been appointed and qualified, staggered
Banking, Secretary of	Administrative Code § 207.1; 71 P.S. § 67.1	One	Four years from the third Tuesday of January next following the election of a Governor and until successor shall have been appointed and qualified ⁹
Cancer Control, Prevention and Research Advisory Board, Pennsylvania	Act of December 18, 1980, P.L.1241, No.224, § 3; 35 P.S. § 5633	Ten	Four years from their respective date of their appointment and until their successors are appointed and qualified, staggered
Children's Trust Fund Board	Act of December 15, 1988, P.L.1235, No.151, § 4; 11 P.S. § 2234	Nine	Three years and until a successor is appointed and qualified, staggered
Civil Service Commission, State	Act of August 5, 1941, P.L.752, No.286, § 201; 71 P.S. § 741.201	Three	Six years or until a successor is appointed and qualified
Claims, Board of	Act of May 20, 1937, P.L.728, No.193, § 1; 72 P.S. § 4651-1 ¹⁰	Three	Eight years, staggered
Clarks Summit State Hospital Board of Trustees	Administrative Code § 401; 71 P.S. § 111	Nine	Six years from the date of the expiration of the preceding term
Commissioner of State Police ¹¹	Administrative Code § 207.1; 71 P.S. § 67.1	One	Four years from the third Tuesday of January next following the election of a Governor and until successor shall have been appointed and qualified ¹²
Commonwealth, Secretary of	Administrative Code § 207.1; 71 P.S. § 67.1	One	Governor's pleasure ¹³
Community and Economic Development, Secretary of	Administrative Code § 207.1; 71 P.S. § 67.1	One	Four years from the third Tuesday of January next following the election of a Governor and until successor shall have been appointed and qualified ¹⁴

⁸This statute requires advice and consent of two-thirds of all the members of the Senate for gubernatorial appointments; however, Administrative Code § 207.1(d)(4) (added November 8, 1976); 71 P.S. § 67.1(d)(4), only requires advice and consent of a majority of the members elected to the Senate.

⁹Administrative Code § 208(c); 71 P.S. § 68(c).

¹⁰This citation will change to 62 Pa.C.S. § 1721 after a standing order is published in the Pennsylvania Bulletin, which must occur by July 1, 2003. Act of December 3, 2002, P.L. 1147, No.142, § 22.

¹¹Identified as Superintendent of the Pennsylvania State Police in the act of June 3, 1919, P.L.366, No.179, § 7; 71 P.S. § 1192.

¹²Administrative Code § 208(c); 71 P.S. § 68(c).

¹³Administrative Code § 208(a); 71 P.S. § 68(a).

¹⁴Administrative Code § 208(c); 71 P.S. § 68(c).

**APPOINTMENTS REQUIRING CONSENT OF A MAJORITY
OF THE MEMBERS ELECTED TO THE SENATE**

Agency or position	Citation	Gubernatorial Appointments	Terms
Conservation Commission, State	Act of May 15, 1945, P.L.547, No.217, § 4; 3 P.S. § 852	Six	Four years and until successors have been appointed and qualified but no longer than six months beyond the four-year period, staggered
Conservation and Natural Resources, Secretary of	Administrative Code § 207.1; 71 P.S. § 67.1	One	Four years from the third Tuesday of January next following the election of a Governor and until successor shall have been appointed and qualified ¹⁵
Constables' Education and Training Board	42 Pa.C.S. § 2943	Six	Three years
Consumer Advocate	Administrative Code § 902-A; 71 P.S. § 309-2	One ¹⁶	
Coroners' Education Board	Act of March 2, 1988, P.L.108, No.22, § 1; 16 P.S. § 9525.1	Three	Four years
Corrections, Secretary of	Administrative Code § 207.1; 71 P.S. § 67.1	One	Four years from the third Tuesday of January next following the election of a Governor and until successor shall have been appointed and qualified ¹⁷
Council of trustees of each State- owned college and university ¹⁸	Act of March 10, 1949, P.L.30, No.14, § 2008-A; 24 P.S. § 20- 2008-A	Ten	Six years and until their respective successors are duly appointed and qualified
County Board of Assistance in each county	Act of June 13, 1967, P.L.31, No.21, § 416; 62 P.S. § 416 ¹⁹	Minimum of Eleven ²⁰	Three years
Danville State Hospital Board of Trustees	Administrative Code § 401; 71 P.S. § 111	Nine	Six years from the date of the expiration of the preceding term
Delaware Valley Regional Planning Commission	Act of June 30, 1965, P.L.153, No.103; 73 P.S. § 701	One	Governor's pleasure

¹⁵Id.

¹⁶"The Attorney General shall appoint a Consumer Advocate which appointment shall be subject to the approval of a majority of the members elected to the Senate." Act of October, 15, 1980, P.L.950, No.164, § 201(b); 71 P.S. § 732-201(b).

¹⁷Administrative Code § 208(c); 71 P.S. § 68(c).

¹⁸See the act of March 10, 1949, P.L.30, No.14, § 2002-A; 24 P.S. § 20-2002-A, for a list of these 14 institutions.

¹⁹Section 415 (62 P.S. § 415) of this act requires the advice and consent of two-thirds of all members of the Senate; however, Administrative Code § 207.1(d)(4); 71 P.S. § 67.1(d)(4) (added November 8, 1976), requires the advice and consent of a majority of the members elected to the Senate.

²⁰Counties of the first and second classes shall have boards composed of a minimum of 11 members; other counties shall have boards composed of a minimum of seven members.

Any county board is limited to a maximum of 15 members in addition to two county commissioners who are appointed by the Governor as ex officio members.

**APPOINTMENTS REQUIRING CONSENT OF A MAJORITY
OF THE MEMBERS ELECTED TO THE SENATE**

Agency or position	Citation	Gubernatorial Appointments	Terms
Drug, Device and Cosmetic Board, Pennsylvania	Act of April 14, 1972, P.L.233, No.64, § 31; 35 P.S. § 780-131	Ten	Four years from his appointment or until his successor has been appointed and qualified, but no longer than six months beyond the four-year period, staggered
Ebensburg Center Board of Trustees	Administrative Code § 401; 71 P.S. § 111	Nine	Six years from the date of the expiration of the preceding term
Economic Development Financing Authority Board of Directors, Pennsylvania	Act of August 23, 1967, P.L.251, No.102, § 6.1; 73 P.S. § 376.1	Eight ²¹	Four years, staggered
Education, Secretary of ²²	Administrative Code § 207.1; 71 P.S. § 67.1	One	Four years ²³
Energy Development Authority	Administrative Code § 2803-C; 71 P.S. § 720.3	Nine	Four years extending until his successor is appointed and qualified, staggered
Environmental Hearing Board	Act of July 13, 1988, P.L.530, No.94, § 3; 35 P.S. § 7513	Five	Six years or until a successor is appointed and qualified
Environmental Protection, Secretary of	Administrative Code § 207.1; 71 P.S. § 67.1	One	Four years from the third Tuesday of January next following the election of a Governor and until successor shall have been appointed and qualified ²⁴
Farm Products Show Commission, State	Administrative Code § 430; 71 P.S. § 140	Four	Four years
General Services, Secretary of	Administrative Code § 207.1; 71 P.S. § 67.1	One	Four years from the third Tuesday of January next following the election of a Governor and until successor shall have been appointed and qualified ²⁵
Hamburg Center Board of Trustees	Administrative Code § 401; 71 P.S. § 111	Nine	Six years from the date of the expiration of the preceding term
Harness Racing Commission, State	Act of December 17, 1981, P.L.435, No.135, § 201; 4 P.S. § 325.201	Three	Three years and until a successor is qualified
Harrisburg State Hospital Board of Trustees	Administrative Code § 401; 71 P.S. § 111	Nine	Six years from the date of the expiration of the preceding term

²¹The eighth appointee replaces the Secretary of Community Affairs. Act of June 27, 1996, P.L.403, No.58, § 1101; 71 P.S. § 1709.1101.

²²"The Superintendent of Public Instruction shall be ex officio the Secretary of Education." Act of July 23, 1969, P.L.181, No.74, § 2; 71 P.S. § 1038.

²³Id.

²⁴Administrative Code § 208(c); 71 P.S. § 68(c).

²⁵Id.

**APPOINTMENTS REQUIRING CONSENT OF A MAJORITY
OF THE MEMBERS ELECTED TO THE SENATE**

Agency or position	Citation	Gubernatorial Appointments	Terms
Health Policy Board	Act of July 19, 1979, P.L.130, No.48, § 401.1; 35 P.S. § 448.401a	Fourteen ²⁶	Three years, staggered
Health, Secretary of	Administrative Code § 207.1; 71 P.S. § 67.1	One	Governor's pleasure ²⁷
Higher Education Assistance Agency Board of Directors, Pennsylvania	Act of August 7, 1963, P.L.549, No.290, § 3; 24 P.S. § 5103	Three	Six years, staggered
Historical and Museum Commission, Pennsylvania	37 Pa.C.S. § 104	Nine	Four years and until a successor is appointed and qualified
Horse Racing Commission, State	Act of December 17, 1981, P.L.435, No.135, § 201; 4 P.S. § 325.201	Three	Three years and until a successor is qualified
Housing Finance Agency, Pennsylvania	Act of December 3, 1959, P.L.1688, No.621, § 202; 35 P.S. § 1680.202	Six	Six years extending until his successor is appointed and qualified, staggered
Human Relations Commission, Pennsylvania	Act of October 27, 1955, P.L.744, No.222, § 6; 43 P.S. § 956	Eleven	Five years or until his successor shall have been duly appointed and qualified
Industrial Board ²⁸	Administrative Code § 445; 71 P.S. § 155	Six	Four years running concurrently with that of the Governor and until successors are appointed and qualified
Industrial Development Authority, Pennsylvania	Act of May 17, 1956, 1955 P.L.1609, No.537, § 4; 73 P.S. § 304	Eight ²⁹	Seven years and until their respective successors shall be duly appointed and qualified
Insurance Commissioner	Administrative Code § 207.1; 71 P.S. § 67.1	One	Four years from the third Tuesday of January next following the election of a Governor and until successor shall have been appointed and qualified ³⁰
Labor and Industry, Secretary of	Administrative Code § 207.1; 71 P.S. § 67.1	One	Four years from the third Tuesday of January next following the election of a Governor and until successor shall have been appointed and qualified ³¹

²⁶Subsection (b) provides that "[a]ll members shall be appointed to the policy board by the Governor and confirmed by a majority vote of the Senate." Subsection (a) specifies that the Secretary of Health or his designee is a member of the board. Therefore, the membership total is 15.

²⁷Act of April 27, 1905, P.L.312, No.218, § 1(b); 71 P.S. § 1401(b).

²⁸When the board was reestablished under the Sunset Act in the act of June 30, 1988, P.L.475, No.80, an express requirement of senatorial advice and consent was not inserted; however, such a requirement is contained in Administrative Code § 207.1(d)(2); 71 P.S. § 67.1(d)(2)

²⁹ The eighth appointee replaces the Secretary of Community Affairs. Act of June 27, 1996, P.L.403, No.58, § 1102; 71 P.S. § 1709.1102.

³⁰Administrative Code § 208(c); 71 P.S. §68(c).

³¹Id.

**APPOINTMENTS REQUIRING CONSENT OF A MAJORITY
OF THE MEMBERS ELECTED TO THE SENATE**

Agency or position	Citation	Gubernatorial Appointments	Terms
Labor Relations Board, Pennsylvania	Act of June 1, 1937, P.L.1168, No.294, § 4; 43 P.S. § 211.4 ³²	Three	Six years, staggered
Lincoln University Board of Trustees	Act of July 7, 1972, P.L.743, No.176, § 4; 24 P.S. § 2510- 404 ³³	Four	Four years, staggered
Mayview State Hospital Board of Trustees	Administrative Code § 401; 71 P.S. § 111	Nine	Six years from the date of the expiration of the preceding term
Military Affairs, Department of, general officers	Administrative Code 207.1(d)(5); 71 P.S. § 67.1(d)(5) ³⁴		
Milk Marketing Board	Act of April 28, 1937, P.L.417, No.105, § 201; 31 P.S. § 700j-201 ³⁵	Three	Six years and until their successors have been appointed and qualified, staggered
Minority Business Development Authority Board of Directors, Pennsylvania	Act of July 22, 1974, P.L.598, No.206, § 4; 73 P.S. § 390.4	Nine ³⁶	Five years, staggered
Municipal Police Officers' Education and Training Commission	53 Pa.C.S. § 2163	Fourteen	Three years
Navigation Commission for the Delaware River and its navigable tributaries	Act of June 8, 1907, P.L.496, No.322, § 1; 55 P.S. § 1	Four	Four years and until successor is appointed and qualified, staggered
Norristown State Hospital Board of Trustees	Administrative Code § 401; 71 P.S. § 111	Nine	Six years from the date of the expiration of the preceding term
Pardons, Board of	Pa. Const. art. IV, § 9	Three	Six years, staggered ³⁷
Pennsylvania Convention Center Authority, chairman of the governing board ³⁸	53 Pa.C.S. § 5911	One	Until his successor is duly appointed

³²This statute requires advice and consent of two-thirds of all of the members of the Senate; however, Administrative Code § 207.1(d)(2); 71 P.S. § 67.1(d)(2) (which was added November 8, 1976), requires the advice and consent of a majority of the members elected to the Senate.

³³This statute requires advice and consent of two-thirds of all of the members of the Senate; however, Administrative Code § 207.1(d)(2); 71 P.S. § 67.1(d)(2) (which was added November 8, 1976), requires the advice and consent of a majority of the members elected to the Senate.

³⁴"The number of general officers of the line of the Pennsylvania National Guard shall conform with the number of such officers allocated to this Commonwealth as authorized by the unit manning documents promulgated in conformity with the National Defense Act." 51 Pa.C.S. § 1103(a). The number of general officers of Pennsylvania Guard shall be determined by the Governor. 51 Pa.C.S. § 1303(a). General officers previously confirmed as such by the Senate do not require reconfirmation when thereafter promoted. Id.

³⁵This statute requires advice and consent of two-thirds of all the members of the Senate; however, Administrative Code § 207.1(d)(2); 71 P.S. § 67.1(d)(2) (which was added November 8, 1976), requires the advice and consent of a majority of the members elected to the Senate.

³⁶The ninth appointee replaces the Secretary of Community Affairs. Act of June 27, 1996, P.L.403, No.58, § 1110; 71 P.S. § 1709.1110.

³⁷Administrative Code § 403; 71 P.S. § 113.

³⁸This gubernatorial appointment is available only when the members cannot agree upon the selection of a chairman within 90 days of a vacancy. It requires advice and consent of 26 members of the Senate.

**APPOINTMENTS REQUIRING CONSENT OF A MAJORITY
OF THE MEMBERS ELECTED TO THE SENATE**

Agency or position	Citation	Gubernatorial Appointments	Terms
Pennsylvania Fish and Boat Commission	30 Pa.C.S. § 301 ³⁹	Ten	Eight years and may continue for a period not to exceed six months or until their successors are appointed and qualified, whichever occurs first
Pennsylvania Game Commission	34 Pa.C.S. § 301 ⁴⁰	Eight	Eight years and may continue to hold office not to exceed six months or until a successor is appointed and qualified, whichever occurs first
Pennsylvania State University Board of Trustees ⁴¹	Act of March 24, 1905, P.L.50, No.35, § 1; 24 P.S. § 2536	Six	Three years beginning on the first day of July in the year in which they are appointed, staggered ⁴²
Physician General	Act of April 27, 1905, P.L.312, No.218, § 1; 71 P.S. § 1401	One	Governor's pleasure
Planning Board, State ⁴³	Administrative Code § 451; 71 P.S. § 161	Sixteen ⁴⁴	Four years and until their successors are appointed and have qualified
Polk Center Board of Trustees	Administrative Code § 401; 71 P.S. § 111	Nine	Six years from the date of the expiration of the preceding term
Probation and Parole, Pennsylvania Board of	Act of August 6, 1941, P.L.861, No.323, § 2; 61 P.S. § 331.2	Nine	Six years or until his successor has been duly appointed and qualified ⁴⁵
Professional and Occupational Affairs, Commissioner of	Act of July 1, 1978, P.L.700, No.124, § 305; 63 P.S. § 1401- 305	One	Governor's pleasure
Professional Standards and Practices Commission	Act of December 12, 1973, P.L.397, No.141, § 3; 24 P.S. § 2070.3	Thirteen	Three years, staggered
Public Employee Retirement Commission	Act of July 9, 1981, P.L.208, No.66, § 5; 43 P.S. § 1405	Five	Six years, staggered
Public School Employees' Retirement Board	24 Pa.C.S. § 8501	Two	Three years, staggered

³⁹This statute requires advice and consent of two-thirds of all of the members of the Senate; however, Administrative Code § 207.1(d)(2); 71 P.S. § 67.1(d)(2) (which was added November 8, 1976), requires the advice and consent of a majority of the members elected to the Senate.

⁴⁰This statute requires advice and consent of two-thirds of all of the members of the Senate; however, Administrative Code § 207.1(d)(2); 71 P.S. § 67.1(d)(2) (which was added November 8, 1976), requires the advice and consent of a majority of the members elected to the Senate.

⁴¹The statute identifies this as The Pennsylvania State College.

⁴²Act of March 24, 1905, P.L.50, No.35, § 2; 24 P.S. § 2537.

⁴³When the board was reestablished under the Sunset Act in the act of July 7, 1989, P.L.241, No.42, an express requirement of senatorial advice and consent was not inserted; however, such a requirement is contained in Administrative Code § 207.1(d)(4); 71 P.S. § 67.1(d)(4).

⁴⁴The sixteenth appointee replaces the Secretary of Community Affairs. Act of June 27, 1996, P.L.403, No.58, § 1106; 71 P.S. § 1709.1106.

⁴⁵In no event may a board member hold over his membership more than 90 days beyond the expiration of his appointed term.

**APPOINTMENTS REQUIRING CONSENT OF A MAJORITY
OF THE MEMBERS ELECTED TO THE SENATE**

Agency or position	Citation	Gubernatorial Appointments	Terms
Public Television Network Commission, Pennsylvania	Act of November 20, 1968, P.L.1075, No.329, § 2; 71 P.S. § 1188.2	Fifteen ⁴⁶	Six years or until a successor has been appointed and qualified but not to exceed six months after expiration of term
Public Utility Commission, Pennsylvania	66 Pa.C.S. § 301	Five	Five years and may continue to hold office for a period not to exceed six months beyond expiration of his term if successor has not been duly appointed and qualified according to law, staggered
Public Welfare, Secretary of	Administrative Code § 207.1; 71 P.S. § 67.1	One	Four years from the third Tuesday of January next following the election of a Governor and until successor shall have been appointed and qualified ⁴⁷
Real Estate Commission, State	Act of February 19, 1980, P.L.15, No.9, § 202; 63 P.S. § 455.202	Eleven ⁴⁸	Five years from appointment or until his successor has been appointed and qualified but not longer than six months beyond the five-year period
Revenue, Secretary of	Administrative Code § 207.1; 71 P.S. § 67.1	One	Four years from the third Tuesday of January next following the election of a Governor and until successor shall have been appointed and qualified ⁴⁹
School Reform Commission	Act of March 10, 1949, P.L.30, No.14, § 696; 24 P.S. § 6-696	Successor member ⁵⁰	Five years, staggered, and until a successor has been appointed and qualified ⁵¹
Scotland School for Veterans' Children Board of Trustees	Administrative Code § 401; 71 P.S. § 111	Nine	Six years from the date of the expiration of the preceding term
Scranton State School for the Deaf Board of Trustees ⁵²	Administrative Code § 401; 71 P.S. § 111	Nine	Six years from the date of the expiration of the preceding term

⁴⁶This section specifies that two gubernatorial appointees serve at the Governor's pleasure and expressly requires senatorial advice and consent for the Governor's other 15 appointees, thereby suggesting that the General Assembly intended to allow two gubernatorial appointments absent senatorial advice and consent. Nine of these appointees have staggered terms.

⁴⁷Administrative Code § 208(c); 71 P.S. § 68(c).

⁴⁸This total includes the Commissioner of Professional and Occupational Affairs as well as the Director of the Bureau of Consumer Protection or his designee. The statute as amended, act of June 29, 1990, P.L.246, No.58, § 2, omits an expressed requirement of senatorial advice and consent. Even so, the Senate has continued the practice of confirming appointments to the commission, History of S. Bills, Sess.'s of 2001 and 2002, Sept. 19, 2002, No. 7, J-35, for such a requirement is contained in Administrative Code § 207.1(d)(4); 71 P.S. § 67.1(d)(4).

⁴⁹Administrative Code § 208(c); 71 P.S. § 68(c).

⁵⁰After initially appointing four members, the governor appoints a total of three successor members.

⁵¹A successor filling a vacancy is appointed for the balance of the unexpired term. A successor appointed at or after the expiration of a term is appointed for the next term.

**APPOINTMENTS REQUIRING CONSENT OF A MAJORITY
OF THE MEMBERS ELECTED TO THE SENATE**

Agency or position	Citation	Gubernatorial Appointments	Terms
Securities Commission, Pennsylvania	Act of December 5, 1972, P.L.1280, No.284, § 601; 70 P.S. § 1-601	Three	Governor's pleasure and until their successors are duly appointed and qualified
Selinsgrove Center Board of Trustees	Administrative Code § 401; 71 P.S. § 111	Nine	Six years from the date of the expiration of the preceding term
Small Business Advocate	Act of December 21, 1988, P.L.1871, No.181, § 3; 73 P.S. § 399.43	One	Until a successor is appointed and qualified
South Mountain Restoration Center Board of Trustees	Administrative Code § 401; 71 P.S. § 111	Nine	Six years from the date of the expiration of the preceding term
State Athletic Commission	5 Pa.C.S. § 102	Three	Four years
State Board of Accountancy	Act of May 26, 1947, P.L.318, No.140, § 2.3; 63 P.S. § 9.2c	Thirteen	Four years from the date of appointment and a period not to exceed six months beyond expiration of his term if a successor has yet to be duly appointed and qualified according to law
State Board of Auctioneer Examiners	Act of December 22, 1983, P.L.327, No.85, § 31; 63 P.S. § 734.31	Seven	Three years from his appointment or until his successor has been appointed and qualified but no longer than six months beyond the three-year period
State Board of Barber Examiners	Act of June 19, 1931, P.L.589, No.202, § 2.2; 63 P.S. § 552.2	Nine	Three years, staggered
State Board of Certified Real Estate Appraisers	Act of July 10, 1990, P.L.404, No.98, § 4; 63 P.S. § 457.4	Six	Four years and until a successor is duly appointed and qualified but no longer than six months after the expiration of the term, staggered
State Board of Chiropractic	Act of December 16, 1986, P.L.1646, No.188, § 301; 63 P.S. § 625.301	Seven	Four years from his appointment or until his successor has been duly appointed and qualified according to law but no longer than six months beyond the four- year period
State Board of Cosmetology	Act of May 3, 1933, P.L.242, No.86, § 1.1; 63 P.S. § 507.1	Eleven	Three years, staggered

⁵²Neither §§ 207.1 nor 401 of the Administrative Code; 71 P.S. §§ 67.1 nor 111, require senatorial advice and consent for appointments to this board of trustees; however, these appointments have regularly been submitted for senatorial advice consent. See History of S. Bills, Sess's of 2000 and 2001, Sept. 19, 2002, No. 7, J-36.

**APPOINTMENTS REQUIRING CONSENT OF A MAJORITY
OF THE MEMBERS ELECTED TO THE SENATE**

Agency or position	Citation	Gubernatorial Appointments	Terms
State Board of Dentistry	Act of May 1, 1933, P.L.216, No.76, § 2.1; 63 P.S. § 121.1	Ten	Six years from his appointment or until his successor has been duly appointed and qualified according to law but no longer than six months beyond the six-year period
State Board of Education	Act of March 10, 1949, P.L.30, No.14, § 2602-B; 24 P.S. § 26- 2602-B	Seventeen	Six years or until his successor has been appointed and has qualified
State Board of Examiners of Nursing Home Administrators	Act of June 22, 1970, P.L.378, No.122, § 3.1; 63 P.S. § 1103.1	Twelve	Four years from his appointment or until his successor has been appointed and qualified but no longer than six months beyond the four-year period
State Board of Examiners in Speech- Language and Hearing	Act of December 21, 1984, P.L.1253, No.238, § 4; 63 P.S. § 1704	Nine	Three years and until their successors are appointed and qualified but not longer than six months beyond the three-year period, staggered
State Board of Funeral Directors	Act of January 14, 1952, 1951 P.L.1898, No.522, § 19; 63 P.S. § 479.19	Seven	Five years and may continue for a period not to exceed six months beyond the expiration of his term if a successor has yet to be duly appointed and qualified according to law
State Board of Landscape Architects	Act of January 24, 1966, 1965 P.L.1527, No.535, § 2.1; 63 P.S. § 902.2a	Seven	Three years and until their successors are appointed and qualified but not longer than six months beyond the three-year period
State Board of Medicine	Act of December 20, 1985, P.L.457, No.112, § 3; 63 P.S. § 422.3	Nine	Four years or until his successor has been appointed and qualified but not longer than six months beyond the four-year period
State Board of Nursing	Act of May 22, 1951, P.L.317, No.69, § 2.1; 63 P.S. § 212.1	Twelve	Six years or until his successor has been appointed and qualified but not longer than six months beyond the six-year period
State Board of Optometry	Act of June 6, 1980, P.L.197, No.57, § 2.1; 63 P.S. § 244.2a	Eleven	Four years, staggered, and may continue until a successor is duly appointed and qualified according to law but no longer than six months following the expiration of his term

**APPOINTMENTS REQUIRING CONSENT OF A MAJORITY
OF THE MEMBERS ELECTED TO THE SENATE**

Agency or position	Citation	Gubernatorial Appointments	Terms
State Board of Osteopathic Medicine	Act of October 5, 1978, P.L.1109, No.261, § 2.1; 63 P.S. § 271.2a	Nine	Four years or until a successor has been appointed and qualified but not longer than six months beyond the four-year period
State Board of Pharmacy	Act of September 27, 1961, P.L.1700, No.699, § 6; 63 P.S. § 390-6	Seven	Six years or until a successor has been appointed and qualified but no longer than six months beyond the six-year period
State Board of Physical Therapy	Act of October 10, 1975 P.L.383, No.110, § 2.1; 63 P.S. § 1302.1	Eleven ⁵³	Four years and may continue for a period not to exceed six months beyond the expiration of his term if a successor has yet to be duly appointed and qualified according to law ⁵⁴
State Board of Podiatry	Act of March 2, 1956, 1955 P.L.1206, No.375, § 2.1; 63 P.S. § 42.2a	Eight	Four years or until a successor has been appointed and qualified but not longer than six months beyond the four-year period
State Board of Psychology	Act of March 23, 1972, P.L.136, No.52, § 3.1; 63 P.S. § 1203.1	Eight	Four years or until a successor has been appointed and qualified but not longer than six months beyond the four-year period
State Board of Social Workers, Marriage and Family Therapists and Professional Counselors	Act of July 9, 1987, P.L.220, No.39, § 5; 63 P.S. § 1905	Thirteen ⁵⁵	Four years or until a successor is duly qualified but not longer than six months after expiration of the term, staggered
State Board of Vehicle Manufacturers, Dealers and Salespersons ⁵⁶	Act of December 22, 1983, P.L.306, No.84, § 3; 63 P.S. § 818.3	Fourteen	Four years from the respective date of their appointment and may continue for a period not to exceed six months beyond the expiration of his term if a successor has yet to be duly appointed and qualified according to law

53"The board shall consist of eleven members One member shall be the Commissioner of Professional and Occupational Affairs. One member shall be the Physician General . . . or his designee. The members . . . shall be appointed with the advice and consent of . . . the Senate." Usually, only the public and professional members require senatorial advice and consent for appointment to licensing boards. The Commissioner and the Physician General must be confirmed to fill those positions initially.

54This term duration applies to the public and professional members of this board. Their terms are staggered.

55The legislation specifies that there are thirteen members, "one of whom shall be the Commissioner of Professional and Occupational Affairs. . . . The members . . . shall be appointed . . . with the advice and consent of . . . the Senate." Usually only the public and professional members require senatorial advice and consent for appointments to licensing boards. The Commissioner must be confirmed to fill that position initially.

56When the board was reestablished pursuant to the Sunset Act, an express requirement of senatorial advice and consent was not inserted; however, such a requirement is contained in Administrative Code § 207.1(d)(4); 71 P.S. § 67.1(d)(4).

**APPOINTMENTS REQUIRING CONSENT OF A MAJORITY
OF THE MEMBERS ELECTED TO THE SENATE**

Agency or position	Citation	Gubernatorial Appointments	Terms
State Board of Veterinary Medicine	Act of December 27, 1974, P.L.995, No.326, § 4; 63 P.S. § 485.4	Eight	Four years from his appointment or until his successor has been duly appointed and qualified according to law but no longer than six months beyond the four- year period, staggered
State Charter School Appeal Board	Act of March 10, 1949, P.L.30, No.14, § 1721-A; 24 P.S. § 17- 1721-A	Six	Four years or until a successor is appointed and qualified, staggered
State Employees' Retirement Board	71 Pa.C.S. § 5901	Six	Four years, staggered
State Registration Board for Professional Engineers, Land Surveyors and Geologists	Act of May 23, 1945, P.L.913, No.367, § 4.1; 63 P.S. § 151.1 ⁵⁷	Twelve	Six years or until his successor has been appointed and qualified but not longer than six months beyond the six-year period
State System of Higher Education Board of Governors	Act of March 10, 1949, P.L.30, No.14, § 2004-A; 24 P.S. § 20- 2004-A	Fourteen	Four years ⁵⁸
State Tax Equalization Board	Act of June 27, 1947, P.L.1046, No.447, § 2; 72 P.S. § 4656.2	Three	Four years or until their successors shall be duly appointed and shall have qualified
Temple University Board of Trustees	Act of November 30, 1965, P.L.843, No.355, § 4; 24 P.S. § 2510-4 ⁵⁹	Four	Four years, staggered
Thaddeus Stevens College of Technology Board of Trustees ⁶⁰	Act of March 10, 1949, P.L.30, No.14, § 1906-B; 24 P.S. § 19- 1906-B	Nine	Six years, staggered ⁶¹
Third Class County Convention Center Authority, governing board	Act of August 9, 1955, P.L.323, No. 130, § 2399.61; 16 P.S. § 2399.61	Two	Four years from the date of their appointment and until their successors have been appointed and qualified
Torrance State Hospital Board of Trustees	Administrative Code § 401; 71 P.S. § 111	Nine	Six years from the date of the expiration of the preceding term

⁵⁷The statute that reestablished the board did not insert an express requirement of senatorial advice and consent for appointment of members. Act of December 22, 1983, P.L.348, No.87, § 5. Nonetheless, the Senate confirms members of the board, History of S. Bills, Sess.'s of 2001 and 2002, Sept. 19, 2002, No. 7, J-31, for such a requirement is contained in Administrative Code § 207.1(d)(4); 71 P.S. § 67.1(d)(4).

⁵⁸This term length is for all members of the board appointed by the Governor except the students, whose terms expire upon graduation, separation or failure to maintain good academic standards at their institution.

⁵⁹This statute requires advice and consent of two-thirds of all of the members of the Senate; however, Administrative Code § 207.1(d)(2); 71 P.S. § 67.1(d)(2) (which was added November 8, 1976), requires the advice and consent of a majority of the members elected to the Senate.

⁶⁰"A statutory reference to the Thaddeus Stevens State School of Technology shall be deemed to be a reference to the Thaddeus Stevens College of Technology." Act of November 26, 1997, P.L.530, No.57, § 14.

⁶¹The amendment doubling terms from three to six years takes effect on July 1, 2003. Act of December 9, 2002, P.L. __, No.187, § 16.

**APPOINTMENTS REQUIRING CONSENT OF A MAJORITY
OF THE MEMBERS ELECTED TO THE SENATE**

Agency or position	Citation	Gubernatorial Appointments	Terms
Transportation Commission, State	Administrative Code § 468; 71 P.S. § 178	Ten	Six years and may serve for a period not to exceed six months until a successor is appointed and qualifies
Transportation, Secretary of	Administrative Code § 207.1; 71 P.S. § 67.1	One	Four years from the third Tuesday of January next following the election of a Governor and until successor shall have been appointed and qualified ⁶²
Unemployment Compensation Board of Review	Act of December 5, 1936 (Second Ex. Sess., 1937), P.L.2897, No.1, § 203; 43 P.S. § 763 ⁶³	Three	Six years and until their successors shall have been appointed and qualified, staggered
University of Pittsburgh Board of Trustees	Act of July 28, 1966 (Spec. Sess. No. 3), P.L.87, No.3, § 4; 24 P.S. § 2510-204 ⁶⁴	Four	Four years, staggered
Victim Advocate	Act of November 24, 1998, P.L.882, No.111, § 301; 18 P.S. § 11.301	One	Six years and until a successor shall have been duly appointed and qualified but in no event more than 90 days beyond the expiration of the appointed term
Warren State Hospital Board of Trustees	Administrative Code § 401; 71 P.S. § 111	Nine	Six years from the date of the expiration of the preceding term
Wernersville State Hospital Board of Trustees	Administrative Code § 401; 71 P.S. § 111	Nine	Six years from the date of the expiration of the preceding term
White Haven Center Board of Trustees	Administrative Code § 401; 71 P.S. § 111	Nine	Six years from the date of the expiration of the preceding term
Workers' Compensation Appeal Board	Administrative Code § 441; 71 P.S. § 151	At least three	Four years from the third Tuesday of January next following the election of a Governor and until successor shall have been appointed and qualified ⁶⁵
Youth Development Center at Loysville Board of Trustees ⁶⁶	Administrative Code § 401; 71 P.S. § 111	Nine	Six years from the date of the expiration of the preceding term
Youth Development Center at New Castle Board of Trustees ⁶⁷	Administrative Code § 401; 71 P.S. § 111	Nine	Six years from the date of the expiration of the preceding term

⁶²Administrative Code § 208(c); 71 P.S. § 68(c).

⁶³This statute requires advice and consent of two-thirds of all of the members of the Senate; however Administrative Code § 207.1(d)(2); 71 P.S. § 67.1 (d)(2) (which was added November 8, 1976), requires the advise and consent of a majority of the members elected of the Senate.

⁶⁴This statute requires advice and consent of two-thirds of all of the members of the Senate; however, Administrative Code § 207.1(d)(2); 71 P.S. § 67.1(d)(2) (which was added November 8, 1976), requires the advice and consent of a majority of the members elected to the Senate.

⁶⁵Administrative Code § 208(c); 71 P.S. § 68(c). "Any reference in a statute to the Workmen's Compensation Appeal Board shall be deemed a reference to the Workers' Compensation Appeal Board." Act of June 24, 1996, P.L.350, No.57, § 31.1.

⁶⁶The statute identifies this State institution as Central Youth Development Centers.

**APPOINTMENTS REQUIRING CONSENT OF TWO-THIRDS
OF THE MEMBERS ELECTED TO THE SENATE**

Agency or position	Citation	Gubernatorial Appointments	Terms
Pennsylvania Liquor Control Board	Act of April 12, 1951, P.L.90, No.21, § 201; 47 P.S. § 2-201	Three	Four years, staggered, ending on the third Tuesday in May; may continue to hold office for a period not to exceed six months if his successor has not been duly appointed and qualified
Pennsylvania Turnpike Commission	Act of September 30, 1985, P.L.240, No.61, § 5; 36 P.S. § 651.5	Four ⁶⁸	Four years and 90 days holdover or until his successor shall be duly appointed and qualified, whichever period is shorter, but not thereafter unless reappointed in accordance with law

⁶⁷The statute identifies this State institution as Western Youth Development Centers.

⁶⁸Act of May 21, 1937, P.L.774, No.211, § 4; 36 P.S. § 652d.