

CHAPTER 402. ADMINISTRATION

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Source

The provisions of this Chapter 402 renumbered from 13 Pa. Code Chapter 202, May 16, 1997, effective May 17, 1997, 27 Pa.B. 2415, unless otherwise noted. Immediately preceding text appears at serial pages (33635) to (33639).

§ 402.1. Purpose.

The purpose of this chapter is to establish the bylaws for the administration of the Commission.

§ 402.2. Authority.

Section 506 of The Administrative Code of 1929 (71 P. S. § 186) authorizes departmental commissions to prescribe rules and regulations for the government of their respective commissions.

§ 402.3. Name.

The name of the Commission will be the Navigation Commission for the Delaware River and its Navigable Tributaries.

§ 402.4. Department of State Commission.

The Commission will be a departmental commission of the Department.

Source

The provisions of this § 402.4 amended July 5, 2002, effective July 6, 2002, 32 Pa.B. 3211. Immediately preceding text appears at serial page (229963).

§ 402.5. [Reserved].**Source**

The provisions of this § 402.5 reserved July 5, 2002, effective July 6, 2002, 32 Pa.B. 3211. Immediately preceding text appears at serial pages (229963) to (229964).

§ 402.6. Commission Chairperson.

The Chairperson of the Commission will be the Secretary or a designee.

§ 402.7. Term of office.

The members of the Commission will be appointed initially, two by the Governor and one by the Mayor of the City of Philadelphia for a term of 2 years, and two by the Governor and one by the Mayor for a term of 4 years. They will hold office for a term of 4 years thereafter until their successors are appointed and qualified, and they may be eligible for reappointment to office.

§ 402.8. Reimbursement for expenses.

The Commissioners will serve without compensation but will be reimbursed for necessary expenses.

§ 402.9. [Reserved].**Source**

The provisions of this § 402.9 reserved July 5, 2002, effective July 6, 2002, 32 Pa.B. 3211. Immediately preceding text appears at serial page (229964).

§ 402.10. [Reserved].**Source**

The provisions of this § 402.10 reserved July 5, 2002, effective July 6, 2002, 32 Pa.B. 3211. Immediately preceding text appears at serial page (229964).

§ 402.11. Meetings.

(a) The regular meetings of the Commission will be held semiannually after public notice as required by 65 Pa.C.S. Chapter 7 (relating to Sunshine Act).

(b) Special meetings may be called by the Chairperson after 3 days notice to the Commission and after public notice as required by 65 Pa.C.S. Chapter 7.

(c) Meetings of the Commission will be held in Philadelphia or at a location determined by a majority vote of the Commission.

Source

The provisions of this § 402.11 amended July 5, 2002, effective July 6, 2002, 32 Pa.B. 3211. Immediately preceding text appears at serial page (229965).

§ 402.12. Commission employees.

(a) The Commission will have a secretary and clerks necessary to keep accurate minutes and entries of all orders, regulations and transactions of the Commissioners.

(b) The Secretary will appoint the secretary and all employes of the Commission, whose salaries will be fixed as provided by law.

§ 402.13. Public inspection of records.

The minutes and entries of the Commission will be available for the inspection of persons who desire to see and copy the same in the office of the Commission during normal working hours.

§ 402.14. Annual report to Governor.

The Commissioners will make an annual report to the Governor, showing an itemized account of the income and expenditures made by them.

§ 402.15. Official seal.

The official seal of the Commission will be the coat of arms of the Commonwealth, encircled with the words: "Navigation Commission for the Delaware River and its Navigable Tributaries."

§ 402.16. Administering oaths.

Every member of the Commission and the secretary employed by the Commission will have the power to administer oaths or affirmations anywhere in this Commonwealth, with regard to any matter or thing which may properly come before the Commission.

§ 402.17. Subpoenas.

(a) The Commission will have the power to issue subpoenas requiring the attendance of witnesses and the production of books and papers pertinent to any hearing before the Commission and to examine such witnesses, books and papers.

(b) Any witness who refuses to obey a subpoena issued under this section, who refuses to be sworn or affirmed or to testify, or who is guilty of any contempt after summons to appear may be punished for contempt of court, and, for this purpose, an application may be made to any court of competent jurisdiction within whose territorial jurisdiction the offense was committed.

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