
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 417

Session of
1977

INTRODUCED BY ITKIN, KNEPPER, TRELLO, FLAHERTY, MRKONIC,
ABRAHAM, ZORD, FISHER, TADDONIO, GILLETTE AND COWELL,
MARCH 2, 1977

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, MARCH 2, 1977

AN ACT

1 Creating the Pennsylvania Commission of the Blind and defining
2 its powers and duties; defining blindness; and making
3 transfers and repeals.

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

6 Section 1. Definitions.

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

10 "Blindness." Central visual acuity with correction which
11 does not exceed 20/200 in the better eye or whose vision in the
12 better eye is restricted to a field which subtends an angle no
13 greater than 20 degrees.

14 "Commission." The Pennsylvania Commission of the Blind
15 created by this act.

16 Section 2. Creation of commission; membership; terms; offices;
17 meetings; compensation; responsibility.

18 (a) There is hereby created the Pennsylvania Commission of

1 the Blind.

2 (b) The commission shall consist of seven members and shall
3 be appointed by the Governor. At least four members of the
4 commission shall be blind and the Governor shall, when
5 appointing a blind person, request lists of qualified blind
6 persons from the various organized communities of the blind. No
7 person appointed to this commission shall serve thereon while
8 serving as an official or paid employee of any workshop, school
9 or agency whose stated purpose and function is service to the
10 blind.

11 (c) The term of a commissioner shall be for six years and no
12 member of the commission shall serve more than two consecutive
13 six-year terms. Within 60 days after the passage of this act,
14 the Governor shall appoint two commissioners for two-year terms,
15 two commissioners for four-year terms and three commissioners
16 for six-year terms.

17 (d) At the first meeting of the commission and annually
18 thereafter, the commission shall elect a chairman, vice chairman
19 and a secretary.

20 (e) The commission shall be directly responsible to the
21 Governor and cannot be assigned to any other existing
22 department, commission, board or section of the State
23 Government.

24 (f) The commission shall meet quarterly during the months of
25 March, June, September and December. Special meetings may be
26 called when needed by the chairman of the commission, by joint
27 resolution of any two commissioners or by any three members of
28 the commission. Quarterly meetings shall be held in different
29 sections of the State with provisions made for blind people of
30 the area to present ideas and problem areas to the commission.

1 The commission shall notify the various organized blind
2 communities at least 30 days before such meetings.

3 (g) No member of the commission shall receive salary or
4 compensation for his service, although members of the commission
5 shall be reimbursed for travel expenses and expenses incurred as
6 part of their duties as members of the commission. Reimbursement
7 of the aforementioned expenses shall come from State funds and
8 shall be subjected to the same regulations governing similar
9 expenditures of State funds.

10 Section 3. Assistants and staff; clients.

11 (a) The commission shall employ a director and such
12 assistants and staff as may be necessary to carry out the
13 provisions of this act with primary consideration being given to
14 qualified blind persons. The director of the commission shall
15 not be included in civil service. Employees of the Department of
16 Public Welfare bureaus for the Visually Handicapped and Public
17 Assistance, the Department of Education and other workers who
18 now serve the blind and whose services are deemed necessary to
19 the adequate and proper functioning of the commission, shall be
20 transferred to the commission without impairment of civil
21 service, retirement, seniority or other rights and their terms
22 of office shall not be deemed to be interrupted. The commission
23 shall establish adequate and proper appeal and grievance
24 procedures for staff.

25 (b) Clients of the commission shall be those persons who by
26 reason of a loss of vision have substantial difficulty in
27 achieving an adequate economic and social adjustment; and those
28 persons whose central visual acuity with correction does not
29 exceed 20/200 in the better eye or whose vision in the better
30 eye is restricted to a field which subtends an angle no greater

1 than 20 degrees.

2 Section 4. Registry.

3 (a) The commission shall compile a central registry of the
4 blind in Pennsylvania which shall describe the cause of
5 blindness, the individual's capacity for educational, vocational
6 and industrial training, a census of the employed blind, factors
7 relating to employment of blind persons and such other factors
8 as the commission shall deem of value.

9 (b) Whenever on examination of a clinic, hospital or other
10 institution, or elsewhere by a physician or optometrist, a
11 person is found to be included within the definition of
12 blindness established in this act, such reports shall be filed
13 with the commission within 30 days after the examination.

14 Section 5. Powers and duties.

15 (a) The commission shall exercise the powers, duties and
16 functions heretofore executed by the Departments of Public
17 Welfare and Education as they apply to blind persons.

18 (b) It shall also be the duty of the commission to:

19 (1) Act as a source of information and referral to all
20 the blind.

21 (2) Improve the condition of the blind by promoting
22 business to them in their homes for the purpose of
23 instruction and for such other lawful method as the
24 commission deems expedient.

25 (3) Assist in marketing of the products of blind workers
26 of the State.

27 (4) Provide for the vocational training whenever the
28 commission considers it advisable and necessary.

29 (5) If the commission finds it advisable, establish
30 workshops for the employment of the blind paying suitable

1 wages for work under such employment. Temporary lodging or
2 support of persons receiving training may be provided or paid
3 for by the commission.

4 (6) Use any receipts or earnings that accrue from the
5 operation of workshops and to provide the State controller
6 with the detailed monthly statement of the receipts, earnings
7 and expenditures.

8 (7) Vigorously pursue the commercial, industrial and
9 competitive placement of the blind.

10 (8) Develop standards for instruction and services for
11 all public and private agencies receiving any part of their
12 funding from the State Government and whose purpose and
13 function is the education, treatment, rehabilitation,
14 boarding, nursing or other care to individuals eligible for
15 service under this act.

16 (9) If the commission finds it advisable, establish,
17 manage and control a special training, orientation and
18 adjustment center or centers for blind persons who are 16
19 years of age and older. Maintenance, upkeep, repair and
20 alterations to any grounds or buildings designated as centers
21 for the blind under the commission shall be provided for by
22 the commission. The commission shall also be empowered to
23 provide whatever personnel, materials, equipment and special
24 devices are necessary for the carrying out of the functions
25 of such centers. Such powers shall include the power to spend
26 funds appropriated by the State for this purpose, or to spend
27 funds obtained through gifts, bequests and contributions as
28 hereinafter set forth in this act.

29 (10) Provide services to all persons of any age who are
30 multiply handicapped where the lack of vision is a further

1 significant handicap, and to establish whatever facilities
2 are necessary for such services as deemed necessary by the
3 commission.

4 (11) Provide social services to the blind individual,
5 his spouse or parent, or other members of the family to bring
6 about the maximum utilization of all services of the
7 commission by the blind individual.

8 (12) Provide for the maximum education of blind persons
9 and of multiply handicapped persons where blindness is a
10 further significant handicap, from preschool age to the
11 conclusion of education, and to provide for the education of
12 a newly blinded adult when such education is deemed necessary
13 by the commission. The commission shall provide whatever
14 education concerning blindness is required by family members
15 in a blind person's home.

16 (13) Negotiate with State, Federal or other governmental
17 organizations and the private agencies offering services
18 required by an individual served by this act and to purchase
19 such service when needed.

20 (14) Provide the blind pension to eligible persons in
21 accordance with current standards now carried out by the
22 Department of Public Welfare bureau of Public Assistance, to
23 formulate future policies concerning State blind pension, and
24 to explore any other income possibilities.

25 (15) Provide and/or purchase medical or surgical care
26 and other necessary services or aids to persons covered by
27 this act.

28 (16) Gather information concerning the causes of
29 blindness, seek to determine which causes are preventable and
30 work with the other established agents of the State to

1 eliminate preventable causes.

2 (17) Establish adequate appeal and grievance procedures
3 for clients of the commission.

4 (18) Provide a business enterprise program including
5 management, supervision and development services.

6 Section 6. Federal funds.

7 The commission shall actively seek all available sources of
8 Federal funds necessary to implement and carry out the programs
9 of the commission.

10 Section 7. Gifts.

11 The commission is empowered to accept and use gifts,
12 contributions and bequests made in accordance with the purpose
13 of this act. Such gifts shall be held, invested, reinvested and
14 the principal and interest may be used in accordance with the
15 conditions of the gift. Such funds may be expended under the
16 order or approval of the commission without specific
17 appropriation.

18 Section 8. Reports.

19 The commission shall make a detailed report to the
20 Legislature and the Governor before January 1 of each year
21 showing all appropriations received and how they were expended,
22 how the responsibilities of the commission have been discharged,
23 and make recommendations concerning the improvement of the
24 commission in the forthcoming year.

25 Section 9. Transfer of books, records, personnel, etc.

26 All books, records, appropriations and personnel of the
27 Departments of Public Welfare and Education relating to
28 blindness are hereby transferred from the Departments of Public
29 Welfare and Education to the Pennsylvania Commission of the
30 Blind. Civil service status of any such employees transferred

1 shall be retained.

2 Section 10. Repealers.

3 (a) Article V, act of June 13, 1967 (P.L.31, No.21), known
4 as the "Public Welfare Code," is repealed.

5 (b) All other acts and parts of acts are repealed insofar as
6 they are inconsistent herewith.

7 Section 11. Effective date.

8 This act shall take effect July 1, 1977.