

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1775 Session of
1981

INTRODUCED BY GEIST, PUNT, GLADECK, GRUPPO, CIMINI, GRIECO,
CUNNINGHAM, VROON, LASHINGER, TRELLO, COCHRAN, CLARK, DAWIDA,
DAVIES AND MICOZZIE, JULY 21, 1981

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, JULY 21, 1981

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An
2 act to consolidate, editorially revise, and codify the public
3 welfare laws of the Commonwealth," providing for a welfare
4 scrip program subject to legislative oversight.

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

7 Section 1. The definition of "assistance" in section 402,
8 act of June 13, 1967 (P.L.31, No.21), known as the "Public
9 Welfare Code," amended July 15, 1976 (P.L.993, No.202), is
10 amended to read:

11 Section 402. Definitions.--As used in this article:

12 "Assistance" means money, scrip, services, goods, shelter,
13 burial and medical, chiropractic and other health care,
14 including nursing home care provided from or with State,
15 Federal, county, county institution district or municipal funds,
16 for needy persons who reside in Pennsylvania and need assistance
17 to provide for themselves and their dependents a decent and
18 healthful standard of living, and for needy homeless or

1 transient persons.

2 * * *

3 Section 2. The act is amended by adding sections to read:

4 Section 475. Welfare Scrip Program.--(a) For the year
5 January 1, 1982 to December 31, 1982, the department shall make
6 general assistance cash grant payments by check for fifty
7 percent of the grant and by welfare scrip for the remaining
8 fifty percent of the grant or by welfare scrip for one hundred
9 percent in a pilot program involving approximately fifteen
10 percent of its caseload. The department shall determine whether
11 to apply the pilot program Statewide or in a given area of the
12 Commonwealth.

13 (b) Welfare scrip shall not be accepted in State liquor
14 stores, establishments having liquor or malt and brewed beverage
15 licenses or for the purchase of firearms.

16 (c) Welfare scrip shall be printed by the department by a
17 nonduplicable method.

18 (d) The recipient of the welfare scrip shall record his or
19 her social security number on the scrip when signing the scrip
20 over to the receiver.

21 (e) The department shall issue and from time to time revise
22 a general list of acceptable receivers of welfare scrip who
23 shall be approved recipients.

24 (f) The department may adopt preliminary rules and
25 regulations for the operation of its pilot welfare scrip program
26 which need not be promulgated pursuant to the act of July 31,
27 1968 (P.L.769, No.240), referred to as the Commonwealth
28 Documents Law and 45 Pa.C.S. Part II (relating to publication
29 and effectiveness of Commonwealth documents). Such preliminary
30 rules and regulations shall however be furnished to the Senate

Public Health and Welfare Committee and the Health and Welfare Committee of the House of Representatives. The department shall likewise furnish such committees with monthly bulletins on the operation of the welfare scrip program. By October 1, 1982 the committees shall evaluate the welfare scrip program and submit to their respective Houses, reports including minority reports, if any, of such evaluations and a recommendation for its expansion and continuance or for its discontinuance.

(g) On or before November 1, 1982 the department shall promulgate and adopt rules and regulations for expansion of the welfare scrip program to a one hundred percent scrip program Statewide.

Section 476. Legislative Oversight of Proposed Regulations.--(a) All rules and regulations, or amendments thereto, of the department implementing the provisions of, or issued pursuant to the authority contained in section 375 of this act shall be promulgated in accordance with the act of July 31, 1968 (P.L.769, No.240), referred to as the Commonwealth Documents Law, and 45 Pa.C.S. Part II (relating to publication and effectiveness of Commonwealth documents). After such rules or regulations have been adopted finally but before they take effect, they shall be submitted to the General Assembly for review and approval as provided in this section. The text of all rules and regulations subject to this section shall be printed in the Pennsylvania Bulletin in the form finally adopted by the department prior to their submission to the General Assembly. For the purposes of this section, any section of a rule or regulation which was printed in the Pennsylvania Bulletin at the proposal stage need not be reprinted when adopted finally if there are no changes to the section at the time of final

1 adoption.

2 (b) Rules and regulations subject to this section shall be
3 submitted by the department to the General Assembly for review
4 and approval in the form of an Administrative Rules Report. The
5 Administrative Rules Report shall be prepared by the Legislative
6 Reference Bureau and shall specifically refer to the volume and
7 page number in the Pennsylvania Bulletin where the rules and
8 regulations submitted for review and approval may be found but
9 shall not include the actual text of the proposed rules and
10 regulations. Following its preparation by the Legislative
11 Reference Bureau, the department shall hand deliver copies of
12 the Administrative Rules Report to the offices of the Chief
13 Clerk of the House of Representatives and the Secretary of the
14 Senate. The Administrative Rules Report shall be delivered to
15 both Houses on the same day and on a day when each House is in
16 session. Receipt of an Administrative Rules Report shall be
17 noted in the journal of each House on the day received.

18 (c) Each Administrative Rules Report submitted to the
19 General Assembly shall be proposed as a resolution and shall be
20 given an identifying number and be placed on the calendar of
21 each House on the next legislative day following receipt. The
22 resolution relating to the Administrative Rules Report shall be
23 considered by each House in the same manner and subject to the
24 same conditions provided for reorganization plans under the act
25 of April 7, 1955 (P.L.23, No.8), known as the "Reorganization
26 Act of 1955."

27 (d) If either House disapproves the Administrative Rules
28 Report pursuant to the procedure provided in the "Reorganization
29 Act of 1955," the rules or regulations referred to in the report
30 shall be void and the welfare scrip program shall cease.

1 (e) If both Houses approve an Administrative Rules Report
2 affirmatively or if neither House disapproves the report, the
3 rules or regulations referred to therein shall be deemed
4 approved and shall take effect as provided in subsection (h).

5 (f) Rules and regulations submitted to the General Assembly
6 for review and approval in the form of an Administrative Rules
7 Report pursuant to this section may only be approved or
8 disapproved by the General Assembly in their entirety and may
9 not be approved or disapproved conditionally or in part.

10 (g) The Chief Clerk of the House of Representatives and the
11 Secretary of the Senate shall give notice to the department of
12 the final action taken by their respective Houses on each
13 Administrative Rules Report. Upon receipt of such notice from
14 both the Chief Clerk of the House of Representatives and the
15 Secretary of the Senate, the department shall cause notice of
16 such legislative action to be published in the Pennsylvania
17 Bulletin which notice shall include a specific reference to the
18 volume and page number in the Pennsylvania Bulletin where the
19 rules or regulations which are the subject of the Administrative
20 Rules Report were printed.

21 (h) Any rules or regulations approved pursuant to the
22 procedure established by this section shall take effect
23 immediately upon publication in the Pennsylvania Bulletin of the
24 notice of their approval as required by subsection (g) or at
25 such later date specified in the rules and regulations as
26 adopted by the department prior to their submission to the
27 General Assembly. The welfare scrip program shall be expanded to
28 a one hundred percent scrip program for general assistance
29 payments Statewide concurrently with such publication on
30 effective date or on January 1, 1983, whichever date is latest.

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