
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 414

Session of
1987

INTRODUCED BY MOWERY, COWELL, NOYE, WAMBACH, DORR, HAYES,
CLYMER, HECKLER, B. SMITH, PHILLIPS, COY, DeVERTER,
MOEHLMANN, HERMAN, GEIST, MANMILLER, DAVIES, DININNI,
PICCOLA, KENNEDY AND BUSH, FEBRUARY 23, 1987

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, NOVEMBER 29, 1988

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employees in certain departments, boards,
17 and commissions; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employees of certain departments, boards and
20 commissions shall be determined," providing for the
21 continuation of medical insurance coverage for survivor-
22 spouse annuitants; FURTHER PROVIDING FOR THE REESTABLISHMENT, <—
23 ADMINISTRATION AND OPERATION OF THE STATE PLANNING BOARD;
24 AUTHORIZING THE DEPARTMENT OF COMMERCE TO MAKE A GRANT TO ST.
25 JOSEPH'S UNIVERSITY; PROVIDING FOR GRANTS BY THE SECRETARY OF
26 COMMUNITY AFFAIRS TO PROMOTE SOCIAL SERVICES FOR
27 PENNSYLVANIA'S ETHNIC AND MULTICULTURAL COMMUNITIES AND TO
28 INSURE THAT ETHNIC GROUPS ARE NOT DISCRIMINATED AGAINST OR
29 PROHIBITED FROM RECEIVING SERVICES BECAUSE OF LANGUAGE
30 BARRIERS, CULTURAL OBSTACLES, LACK OF EDUCATION OR LACK OF
31 ACCESSIBILITY TO GOVERNMENT-RELATED OR PUBLIC SOCIAL

1 PROGRAMS; AND MAKING APPROPRIATIONS.

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

4 SECTION 1. AS MUCH AS RELATES TO THE STATE PLANNING BOARD IN <—
5 THE DEPARTMENT OF COMMERCE IN SECTION 202 OF THE ACT OF APRIL 9,
6 1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF
7 1929, REENACTED AND AMENDED JULY 9, 1976 (P.L.980, NO.197), IS
8 AMENDED TO READ:

9 SECTION 202. DEPARTMENTAL ADMINISTRATIVE BOARDS,
10 COMMISSIONS, AND OFFICES.--THE FOLLOWING BOARDS, COMMISSIONS,
11 AND OFFICES ARE HEREBY PLACED AND MADE DEPARTMENTAL
12 ADMINISTRATIVE BOARDS, COMMISSIONS, OR OFFICES, AS THE CASE MAY
13 BE, IN THE RESPECTIVE ADMINISTRATIVE DEPARTMENTS MENTIONED IN
14 THE PRECEDING SECTION, AS FOLLOWS:

15 * * *

16 IN THE DEPARTMENT OF COMMERCE,
17 [STATE PLANNING BOARD,]
18 NAVIGATION COMMISSION FOR THE DELAWARE RIVER AND ITS
19 NAVIGABLE TRIBUTARIES;

20 * * *

21 SECTION 2. SECTION 448(M) AND (O) OF THE ACT, ADDED AUGUST
22 11, 1967 (P.L.234, NO.87) AND MARCH 14, 1968 (P.L.57, NO.18),
23 ARE AMENDED TO READ:

24 SECTION 448. ADVISORY BOARDS AND COMMISSIONS.--THE ADVISORY
25 BOARDS AND COMMISSIONS, WITHIN THE SEVERAL ADMINISTRATIVE
26 DEPARTMENTS, SHALL BE CONSTITUTED AS FOLLOWS:

27 * * *

28 [(M) THE STATE PLANNING BOARD SHALL CONTINUE AS AN ADVISORY
29 BOARD IN THE GOVERNOR'S OFFICE AND AS IT IS PRESENTLY
30 CONSTITUTED AS PROVIDED IN REORGANIZATION PLAN NO.1 OF 1955,

1 PRINTED AT 1955 (P.L.2045), EXCEPT THAT IN ADDITION TO THE OTHER
2 MEMBERS THE SECRETARY OF AGRICULTURE AND THE SECRETARY OF
3 COMMUNITY AFFAIRS SHALL BE EX OFFICIO MEMBERS THEREOF.]

4 * * *

5 [(O) THE STATE PLANNING BOARD SHALL CONTINUE AS AN ADVISORY
6 BOARD IN THE GOVERNOR'S OFFICE AND AS IT IS PRESENTLY
7 CONSTITUTED AS PROVIDED IN REORGANIZATION PLAN NO.1 OF 1955,
8 PRINTED AT 1955 (P.L.2045), EXCEPT THAT IN ADDITION TO THE OTHER
9 MEMBERS THE PRESIDENT PRO TEMPORE OF THE SENATE SHALL APPOINT
10 TWO MEMBERS, NEITHER OF WHOM SHALL BE MEMBERS OF THE SAME
11 POLITICAL PARTY, AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES
12 SHALL APPOINT TWO MEMBERS, NEITHER OF WHOM SHALL BE MEMBERS OF
13 THE SAME POLITICAL PARTY.]

14 * * *

15 SECTION 3. SECTION 451 OF THE ACT IS AMENDED TO READ:

16 SECTION 451. STATE PLANNING BOARD.--[THE STATE PLANNING
17 BOARD SHALL CONSIST OF THE SECRETARY OF COMMERCE, EX OFFICIO,
18 WHO SHALL BE CHAIRMAN OF THE BOARD, AND FIFTEEN MEMBERS TO BE
19 APPOINTED BY THE GOVERNOR FROM AMONG THE CITIZENS OF THE STATE,
20 WHO DURING THEIR TERMS SHALL HOLD NO OTHER STATE OFFICE TO WHICH
21 ANY SALARY IS ATTACHED. THE GOVERNOR MAY APPOINT AS ADDITIONAL
22 MEMBERS OF THE BOARD, JUDGES, OFFICIALS OF STATE DEPARTMENTS,
23 AGENCIES OR AUTHORITIES, OR MEMBERS OF THE GENERAL ASSEMBLY, FOR
24 SUCH TERMS AS HE MAY DETERMINE, BUT NOT BEYOND THEIR TERM OF
25 OFFICE IN SUCH OTHER STATE SERVICE. AT NO TIME SHALL THERE BE
26 MORE THAN TEN SUCH OFFICIAL MEMBERS. EXCEPT AS HEREINAFTER
27 PROVIDED, THE TERM OF OFFICE OF CITIZEN MEMBERS OF THE BOARD
28 SHALL BE FIVE YEARS AND UNTIL THEIR SUCCESSORS ARE APPOINTED AND
29 HAVE QUALIFIED. IN CASE OF A VACANCY, EXCEPT IN THE CASE OF THE
30 SECRETARY OF COMMERCE, THE GOVERNOR SHALL MAKE AN APPOINTMENT

1 FOR THE UNEXPIRED TERM. IN THE EVENT OF THE ENFORCED ABSENCE OR
2 INABILITY OF THE SECRETARY OF COMMERCE TO ACT, HIS DULY
3 AUTHORIZED DEPUTY SHALL IN HIS STEAD BE TEMPORARY CHAIRMAN AND A
4 MEMBER OF THE BOARD.

5 THE MEMBERS OF THE STATE PLANNING BOARD AND THE STATE BOARD
6 OF HOUSING SERVING ON THE EFFECTIVE DATE OF THESE AMENDMENTS
7 SHALL CONTINUE TO SERVE AS MEMBERS OF THE STATE PLANNING BOARD,
8 AS HEREBY RECONSTITUTED, UNTIL THE EXPIRATION OF THE TERMS FOR
9 WHICH THEY WERE LAST APPOINTED.

10 EIGHT MEMBERS OF THE BOARD SHALL CONSTITUTE A QUORUM.

11 THE MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION,
12 BUT SHALL BE ENTITLED TO RECEIVE TRAVELING AND OTHER EXPENSES
13 INCURRED IN THE DISCHARGE OF THEIR DUTIES.

14 THE BOARD MAY, WITH THE APPROVAL OF THE GOVERNOR, APPOINT AND
15 FIX THE COMPENSATION OF AN EXECUTIVE DIRECTOR WHO SHALL ACT AS
16 SECRETARY OF THE BOARD, AND WHO SHALL CONDUCT THE WORK OF THE
17 BOARD UNDER ITS SUPERVISION. THE EXECUTIVE DIRECTOR SHALL HOLD
18 NO OTHER POSITION IN THE SERVICE OF THE COMMONWEALTH, OR ANY
19 POLITICAL SUBDIVISION THEREOF, AND SHALL BE TECHNICALLY
20 QUALIFIED FOR THE DUTIES OF HIS OFFICE.] THE STATE PLANNING
21 BOARD SHALL BE AN ADVISORY BOARD WITHIN THE GOVERNOR'S OFFICE
22 WITH THE SAME STATUS UNDER THIS ACT AS THAT OF ADVISORY BOARDS.

23 (A) ORGANIZATION.--THE STATE PLANNING BOARD SHALL CONSIST OF
24 FIFTEEN MEMBERS TO BE APPOINTED BY THE GOVERNOR FROM AMONG THE
25 CITIZENS OF THE STATE, WHO DURING THEIR TERMS SHALL HOLD NO
26 OTHER OFFICE IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT TO
27 WHICH ANY SALARY IS ATTACHED. IN ADDITION TO THESE MEMBERS,
28 THERE SHALL BE SIX EX OFFICIO MEMBERS, THE SECRETARY OF
29 AGRICULTURE, THE SECRETARY OF COMMERCE, THE SECRETARY OF
30 COMMUNITY AFFAIRS, THE SECRETARY OF ENVIRONMENTAL RESOURCES, THE

1 SECRETARY OF PUBLIC WELFARE AND THE SECRETARY OF TRANSPORTATION.
2 THERE SHALL ALSO BE TWO MEMBERS APPOINTED BY, AND SERVE AT THE
3 PLEASURE OF, THE PRESIDENT PRO TEMPORE OF THE SENATE, NEITHER OF
4 WHOM SHALL BE MEMBERS OF THE SAME POLITICAL PARTY, AND TWO
5 MEMBERS APPOINTED BY, AND SERVE AT THE PLEASURE OF, THE SPEAKER
6 OF THE HOUSE OF REPRESENTATIVES, NEITHER OF WHOM SHALL BE
7 MEMBERS OF THE SAME POLITICAL PARTY. THE TERMS OF OFFICE OF
8 THOSE MEMBERS APPOINTED BY THE GOVERNOR SHALL BE FOR FOUR YEARS
9 AND UNTIL THEIR SUCCESSORS ARE APPOINTED AND HAVE QUALIFIED. IN
10 CASE OF A VACANCY, THE GOVERNOR SHALL MAKE AN APPOINTMENT FOR
11 THE UNEXPIRED PORTION OF THE TERM. THE GOVERNOR SHALL DESIGNATE
12 THE CHAIRMAN AND VICE-CHAIRMAN OF THE BOARD FROM AMONG THE
13 MEMBERS OF THE BOARD, OTHER THAN THE EX OFFICIO AND LEGISLATIVE
14 MEMBERS.

15 THIRTEEN MEMBERS OF THE BOARD SHALL CONSTITUTE A QUORUM.

16 THE MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION BUT
17 SHALL BE ENTITLED TO RECEIVE TRAVELING AND OTHER REASONABLE
18 EXPENSES INCURRED IN THE DISCHARGE OF THEIR DUTIES.

19 THE BOARD MAY, WITH THE APPROVAL OF THE GOVERNOR, APPOINT AND
20 FIX THE COMPENSATION OF AN EXECUTIVE DIRECTOR WHO SHALL BE
21 TECHNICALLY QUALIFIED FOR THE DUTIES OF THE OFFICE AND WHO SHALL
22 ACT AS SECRETARY OF THE BOARD AND CONDUCT THE WORK OF THE BOARD
23 UNDER ITS SUPERVISION.

24 (B) POWERS AND DUTIES.--THE BOARD SHALL HAVE THE FOLLOWING
25 POWERS AND DUTIES:

26 (1) CONDUCT RESEARCH AND COLLECT, COMPILE AND ANALYZE DATA
27 BEARING UPON SOCIAL, ECONOMIC, PHYSICAL, DEMOGRAPHIC AND OTHER
28 FACTORS WHICH MAY INFLUENCE THE PRESENT AND FUTURE WELFARE OF
29 THE COMMONWEALTH.

30 (2) MONITOR NATIONAL AND STATE TRENDS, IDENTIFY ISSUES OF

1 POTENTIAL INTEREST AND CONCERN TO THE COMMONWEALTH AND PREPARE
2 FOR THE GOVERNOR AND THE GENERAL ASSEMBLY ON AN ANNUAL BASIS, OR
3 MORE OFTEN IF NECESSARY, REPORTS DETAILING THE FINDINGS OF THE
4 BOARD.

5 (3) DEVELOP STRATEGIC PLANS AND PROGRAMS TO PROMOTE AND
6 ENHANCE THE WELFARE OF THE COMMONWEALTH AND MAKE SUCH
7 RECOMMENDATIONS THEREON TO THE GOVERNOR AS IT MAY DEEM PROPER
8 AND ADVISABLE.

9 (4) SOLICIT INFORMATION AND INPUT FROM STATE AND LOCAL
10 GOVERNMENT OFFICIALS AND PRIVATE CITIZENS IN PENNSYLVANIA AS
11 PART OF THE PROCESS OF DEVELOPING STRATEGIC PLANS AND PROGRAMS.

12 (5) SUBMIT ANNUALLY TO THE GOVERNOR, THE PRESIDENT PRO
13 TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF
14 REPRESENTATIVES A REPORT ON ITS PROGRAM AND ACTIVITIES.

15 Section 4. The act of ~~April 9, 1929 (P.L.177, No.175),~~ <—
16 ~~known as The Administrative Code of 1929,~~ is amended by adding a
17 section to read:

18 Section 529. Medical Insurance Coverage For Survivor-Spouse
19 Annuitants.--(a) A survivor-spouse annuitant of an annuitant
20 under the State Employees' Retirement System who had elected to
21 convert medical, major medical and hospitalization insurance
22 coverage shall have the option to continue such insurance
23 coverage. The State Employees' Retirement Board, upon receipt of
24 the election by the survivor-spouse annuitant to continue such
25 insurance coverage, shall notify the insurance carrier of the
26 election and deduct the appropriate annual charges in equal
27 monthly installments. Such deductions shall be transmitted to
28 the designated fiscal officer of the Commonwealth having
29 jurisdiction over the payment of such group charges on behalf of
30 the annuitant or survivor-spouse annuitant.

1 (b) In the event that the survivor-spouse annuitant's
2 monthly annuity is less than the amount needed to cover the
3 applicable monthly installment payments, the Commonwealth shall
4 identify the total annual difference between these amounts and
5 shall notify the survivor-spouse annuitant of the deficiency.
6 Within thirty (30) days of this notification, the survivor-
7 spouse annuitant shall make a payment to the Commonwealth in an
8 amount sufficient to cover the full year's deficiency. If
9 payment is not received by the Commonwealth within the specified
10 time period, the eligibility for State insurance coverage for
11 the survivor-spouse annuitant shall be forfeited. Upon
12 forfeiture, the Commonwealth shall notify both the insurance
13 carrier and the State Employees' Retirement Board.

14 (c) If the survivor-spouse annuitant elects to continue
15 insurance coverage and makes the annual deficiency payment,
16 insurance coverage will continue for twelve (12) months, during
17 which the Commonwealth will redetermine the required annual
18 deficiency amount and notify the survivor-spouse annuitant of
19 the amount required to assure continued coverage. This
20 notification shall take place at least thirty (30) days prior to
21 the anniversary date of the survivor-spouse annuitant's election
22 to pay for insurance coverage.

23 SECTION 5. SECTION 2002(A)(13) AND (15) OF THE ACT, AMENDED <—
24 MARCH 13, 1974 (P.L.188, NO.34) AND DECEMBER 7, 1979 (P.L.478,
25 NO.100), ARE AMENDED TO READ:

26 SECTION 2002. POWERS AND DUTIES OF THE DEPARTMENT.--(A) THE
27 DEPARTMENT OF TRANSPORTATION IN ACCORD WITH APPROPRIATIONS MADE
28 BY THE GENERAL ASSEMBLY, AND GRANTS OF FUNDS FROM FEDERAL,
29 STATE, REGIONAL, LOCAL OR PRIVATE AGENCIES, SHALL HAVE THE
30 POWER, AND ITS DUTY SHALL BE:

1 * * *

2 (13) TO PREPARE AND SUBMIT EVERY EVEN-NUMBERED YEAR PRIOR TO
3 THE FIRST DAY OF SEPTEMBER, TO THE STATE TRANSPORTATION
4 COMMISSION FOR ITS CONSIDERATION, A PROGRAM WHICH IT RECOMMENDS
5 TO BE UNDERTAKEN BY THE DEPARTMENT OF TRANSPORTATION DURING THE
6 TWELVE FISCAL YEARS NEXT ENSUING. EACH TWO YEARS THEREAFTER, THE
7 DEPARTMENT OF TRANSPORTATION, TAKING INTO CONSIDERATION THE
8 RECOMMENDATIONS OF THE STATE TRANSPORTATION COMMISSION, AND
9 OTHER RELEVANT INFORMATION, SHALL REVIEW, REVISE, ADJUST AND
10 EXTEND ITS CONSTRUCTION PROGRAM FOR TWO YEARS. [THE PREPARATION
11 AND CONSIDERATION OF THE PROGRAM SHALL BE COORDINATED WITH THE
12 PREPARATION AND CONSIDERATION OF THE COMMONWEALTH'S CAPITAL
13 PROGRAM BY THE STATE PLANNING BOARD.]

14 COPIES OF CONSTRUCTION PROGRAMS SHALL BE SUPPLIED TO THE
15 MEMBERS OF THE GENERAL ASSEMBLY AND SHALL BE OPEN TO THE PUBLIC
16 FOR INSPECTION AND SHALL BE MADE AVAILABLE TO INTERESTED
17 PERSONS. THE PRIORITY OF IMPROVEMENT SHALL BE BASED UPON
18 RELATIVE NEED AND SUFFICIENCY RATINGS MAINTAINED BY THE
19 DEPARTMENT.

20 * * *

21 (15) TO CONSULT WITH APPROPRIATE OFFICIALS AS DESIGNATED BY
22 THE CHIEF ADMINISTRATIVE OFFICER OF THE DEPARTMENT OF
23 AGRICULTURE, THE DEPARTMENT OF ENVIRONMENTAL RESOURCES, THE
24 DEPARTMENT OF COMMUNITY AFFAIRS, THE DEPARTMENT OF HEALTH[,
25 STATE PLANNING BOARD] AND THE FISH COMMISSION REGARDING THE
26 ENVIRONMENTAL HAZARDS AND THE AGRICULTURAL, CONSERVATION,
27 SANITARY, RECREATION AND SOCIAL CONSIDERATIONS THAT MAY ARISE BY
28 REASON OF THE LOCATION, DESIGN, CONSTRUCTION OR RECONSTRUCTION
29 OF ANY TRANSPORTATION OR AIR FACILITY.

30 NO HIGHWAY, TRANSIT LINE, HIGHWAY INTERCHANGE, AIRPORT, OR

1 OTHER TRANSPORTATION CORRIDOR OR FACILITY, SHALL BE BUILT OR
2 EXPANDED IN SUCH A WAY AS TO USE ANY LAND FROM ANY RECREATION
3 AREA, WILDLIFE AND/OR WATERFOWL REFUGE, HISTORIC SITE, STATE
4 FOREST LAND, STATE GAME LAND, WILDERNESS AREAS OR PUBLIC PARK
5 UNLESS: (I) THERE IS NO FEASIBLE AND PRUDENT ALTERNATIVE TO THE
6 USE OF SUCH LAND, AND (II) SUCH CORRIDOR OR FACILITY IS PLANNED
7 AND CONSTRUCTED SO AS TO MINIMIZE HARM TO SUCH RECREATION AREA,
8 WILDLIFE AND/OR WATERFOWL REFUGE, HISTORIC SITE, STATE FOREST
9 LAND, STATE GAME LAND, WILDERNESS AREA, OR PUBLIC PARK.

10 * * *

11 SECTION 6. SECTION 2501-B OF THE ACT IS AMENDED BY ADDING A
12 SUBSECTION TO READ:

13 SECTION 2501-B. POWERS AND DUTIES OF THE DEPARTMENT OF
14 COMMERCE.--THE DEPARTMENT OF COMMERCE SHALL HAVE THE POWER, AND
15 ITS DUTY SHALL BE:

16 * * *

17 (F) THE DEPARTMENT SHALL HAVE THE AUTHORITY TO MAKE A GRANT
18 TO ST. JOSEPH'S UNIVERSITY FOR THE INSTITUTE ON TRADE
19 DEVELOPMENT AND DIPLOMACY.

20 SECTION 7. SECTION 2502-B OF THE ACT IS REPEALED.

21 SECTION 8. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

22 SECTION 2503-C. ETHNIC AND MULTICULTURAL SOCIAL SERVICE
23 GRANTS ADMINISTRATION.--

24 (A) THE SECRETARY IS AUTHORIZED TO MAKE GRANTS TO BONA FIDE
25 SOCIAL SERVICE ORGANIZATIONS THAT WILL CONDUCT SUCH SERVICES FOR
26 THE ETHNIC AND MULTICULTURAL CITIZENRY OF THIS COMMONWEALTH TO
27 ASSIST THEM WITH THEIR UNIQUE LANGUAGE, CULTURAL AND EDUCATIONAL
28 BARRIERS AND TO PROMOTE AND AVAIL THIS CONSTITUENCY OF THE
29 VARIOUS SERVICES IT DESERVES AND NEEDS. THE SECRETARY SHALL
30 ESTABLISH SUCH STANDARDS AS MAY BE NECESSARY TO FULFILL THE

PURPOSES OF THIS ACT.

(B) EACH QUALIFIED BONA FIDE SOCIAL SERVICE ORGANIZATION SHALL APPLY TO THE DEPARTMENT FOR GRANTS TO CARRY OUT THE PURPOSES OF THIS ACT. THE APPLICATION SHALL BE ON A FORM PRESCRIBED BY THE DEPARTMENT, AND IT SHALL INCLUDE AT LEAST THE FOLLOWING INFORMATION:

(1) NAME OF ORGANIZATION.

(2) ADDRESS OF ORGANIZATION.

(3) EXECUTIVE DIRECTOR OF ORGANIZATION.

(4) CONTACT PERSON AND TELEPHONE NUMBER OF ORGANIZATION.

(5) IRS DETERMINATION LETTER AND IRS TAX-EXEMPTION NUMBER.

(6) HOW LONG ESTABLISHED.

(7) AMOUNT OF GRANT REQUESTED (NOT TO EXCEED ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000)).

(8) DURATION OF THE CONTRACT (NOT TO EXCEED ONE (1) YEAR).

(9) PROGRAM CATEGORIES ADDRESSED OR TYPE OF SERVICES RENDERED, WHICH MAY INCLUDE, BUT NEED NOT BE LIMITED TO, THE FOLLOWING:

(I) GENERAL INFORMATION AND REFERRAL.

(II) ASSISTANCE IN COMPLETING FORMS.

(III) TRANSLATIONS.

(IV) OUTREACH PROGRAMS WHICH EDUCATE AND INFORM THE COMMUNITY ABOUT SERVICES AND PROGRAMS AVAILABLE.

(V) PROGRAMS TO HELP IMPROVE THE QUALITY OF LIFE AND PROMOTE INDEPENDENCE AMONG ELDERLY, LOW-INCOME AND POORLY EDUCATED PERSONS AND THOSE WITH LANGUAGE BARRIERS OR CULTURAL OBSTACLES.

(VI) COUNSELING.

(10) TYPE OF TARGET GROUP TO BE SERVED.

(11) STATEMENT CERTIFYING THAT THE ORGANIZATION HAS THE CAPABILITY AND EXPERTISE TO REACH THE ENTIRE TARGET GROUP WITHIN

A REASONABLE GEOGRAPHIC AREA, NOT JUST ONE SMALL NEIGHBORHOOD,
UNLESS THE ONE NEIGHBORHOOD ENCOMPASSES THE ENTIRE TARGET GROUP
WITHIN A REASONABLE GEOGRAPHIC AREA.

(12) CREDIBILITY STATEMENT CERTIFYING THE QUALIFICATIONS OF
THE PERSONNEL WHO WILL DIRECT OR SUPERVISE THE PROGRAM.

(13) AN ASSESSMENT OF THE NEED.

(14) PROGRAM GOALS AND OBJECTIVES.

(15) METHODS OF OPERATION.

(16) EVALUATION PROCEDURES THAT WILL BE USED TO DETERMINE
THE IMPACT OF THE PROGRAM.

(17) EXPECTED NUMBER TO BE SERVED.

(18) CERTIFICATION OR SIGNATURE OF OFFICIATING BOARD
CHAIRMAN, OR EQUIVALENT, OF THE ORGANIZATION AND DATE SIGNED.

(19) NUMBER OF POSITIONS FUNDED ALL OR IN PART BY THIS
PROGRAM.

(20) A SUMMARY OF THE PROGRAM BUDGET AND PROJECTED EXPENSES
FOR THE DURATION OF THE CONTRACT. THIS SHALL INCLUDE, BUT NOT BE
LIMITED TO, PERSONNEL COSTS AND OPERATING COSTS BUT SHALL NOT
INCLUDE CAPITAL OR EQUIPMENT PURCHASES WHICH ARE PROHIBITED
UNDER THIS ACT. ALL OTHER MISCELLANEOUS COSTS, SUCH AS COSTS FOR
CONSULTANTS TO BE UTILIZED AND AUDIT COSTS, MUST BE STATED.

(C) THE DEPARTMENT SHALL, WITHIN NINETY (90) DAYS OF
RECEIVING AN APPLICATION FROM A BONA FIDE SOCIAL SERVICE
ORGANIZATION, ACCEPT OR REJECT SUCH APPLICATION. THE APPLICATION
MUST BE COMPLETE WITH ALL QUESTIONS ANSWERED.

(D) GRANTS SHALL NOT BE USED FOR CAPITAL EXPENDITURES. NO
GRANT SHALL EXCEED ONE HUNDRED FIFTY THOUSAND DOLLARS
(\$150,000). AN ORGANIZATION MAY SUBMIT APPLICATIONS FOR MORE
THAN ONE PROGRAM. EACH GRANT APPLICATION SHALL BE REVIEWED
INDEPENDENTLY. THE APPLICATION PROCEDURE AND PROCESS SHALL BE ON

1 A TWELVE-MONTH BASIS. NO GRANT SHALL BE AWARDED TO A SOCIAL
2 SERVICE ORGANIZATION WHICH POSSESSES A LICENSE UNDER THE ACT OF
3 APRIL 12, 1951 (P.L.90, NO.21), KNOWN AS THE "LIQUOR CODE."
4 ORGANIZATIONS MAY BE SINGLE-PURPOSE OR MULTIPURPOSE GROUPS BUT
5 MUST MEET ALL THE CRITERIA SET FORTH IN THIS SECTION. IF A
6 PROGRAM IS TO SERVICE MORE THAN ONE TARGET GROUP, THE APPLICANT
7 MUST PROVE THE CAPABILITY OF REACHING A MAJORITY OF THE MEMBERS
8 IN EACH TARGET ETHNIC GROUP WITHIN A REASONABLE GEOGRAPHIC AREA.
9 SERVICING OF OTHER THAN A STATED TARGET GROUP IS PERMITTED IF
10 OTHER ETHNIC GROUPS LIVE IN TARGET GROUP COMMUNITIES. IT IS NOT
11 THE INTENT OF THIS ACT TO DISCRIMINATE AGAINST OTHER GROUPS BUT
12 IN FACT TO HELP ELIMINATE DISCRIMINATION AGAINST THOSE WITH
13 LANGUAGE OR CULTURAL OBSTACLES. SUBCONTRACTING IS NOT PERMITTED
14 UNDER THIS ACT. AT LEAST HALF OF ALL PERSONNEL HIRED UNDER THIS
15 ACT MUST BE BILINGUAL AND BICULTURAL IN THE LANGUAGE AND CULTURE
16 OF THE TARGET GROUP TO BE SERVED. FOR MULTIETHNIC PROGRAMS THERE
17 SHALL BE AT LEAST ONE FLUENTLY BILINGUAL AND BICULTURAL POSITION
18 PER ETHNIC GROUP TO BE SERVED. THE SOCIAL SERVICE ORGANIZATION
19 MUST OPERATE WITHIN THE CONFINES OF THIS COMMONWEALTH, AND THE
20 PROGRAM FUNDED MUST SERVE ONLY ETHNIC AND CULTURAL
21 CONSTITUENCIES OF THIS COMMONWEALTH.

22 (E) THE DEPARTMENT SHALL, IN THE MANNER PROVIDED BY LAW,
23 PROMULGATE THE RULES AND REGULATIONS NECESSARY TO CARRY OUT THIS
24 ACT.

25 (F) THE AUDITOR GENERAL SHALL CONDUCT AN ANNUAL AUDIT OF THE
26 PROGRAM ESTABLISHED BY THIS ACT.

27 (G) THE DEPARTMENT SHALL SUBMIT AN ANNUAL REPORT TO THE
28 GENERAL ASSEMBLY ON THE ADMINISTRATION OF THIS ACT AND THE
29 EFFECTIVENESS OF THE PROGRAM ESTABLISHED HEREUNDER IN MEETING
30 THE NEEDS OF INDIVIDUALS IN THE TARGET GROUP.

1 (H) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES
2 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION:

3 "BONA FIDE SOCIAL SERVICE ORGANIZATION" SHALL MEAN A PRIVATE,
4 NONPROFIT ORGANIZATION RECOGNIZED BY THE INTERNAL REVENUE
5 SERVICE UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE OF
6 1986 (PUBLIC LAW 99-514, 26 U.S.C. § 502(3)(I)) AND WHICH IS
7 REPRESENTATIVE OF THE COMMUNITY OR A SIGNIFICANT SEGMENT OF THE
8 TARGET GROUP TO BE SERVED. THE ORGANIZATION MUST HAVE A HISTORY
9 OF SERVICING AN AMERICAN ETHNIC CONSTITUENCY OR BE ABLE TO
10 DEMONSTRATE A CAPABILITY OF RESPONDING TO THE SPECIAL NEEDS OF
11 THE CONSTITUENCY AS IDENTIFIED IN THIS ACT.

12 "DEPARTMENT" SHALL MEAN THE DEPARTMENT OF COMMUNITY AFFAIRS
13 OF THE COMMONWEALTH.

14 "SECRETARY" SHALL MEAN THE SECRETARY OF COMMUNITY AFFAIRS OF
15 THE COMMONWEALTH.

16 "TARGET GROUP" SHALL MEAN ANY LARGE ETHNIC POPULATION LIVING
17 IN A CERTAIN GEOGRAPHIC AREA OR NEIGHBORHOOD WHICH IS
18 EXPERIENCING SEVERE HANDICAPS, SUCH AS LANGUAGE, CULTURAL OR
19 EDUCATIONAL, IN OBTAINING SERVICES FROM PUBLIC OR PRIVATE
20 AGENCIES, PROGRAMS OR GOVERNMENT OFFICES OR WHO ARE FACING ANY
21 TYPE OF DISCRIMINATION AND WHOSE NEEDS ARE NOT PRESENTLY BEING
22 ADDRESSED.

23 SECTION 9. (A) THIS ACT, WITH RESPECT TO THE STATE PLANNING
24 BOARD, SHALL CONSTITUTE THE LEGISLATION NECESSARY TO REESTABLISH
25 THE BOARD UNDER THE ACT OF DECEMBER 22, 1981 (P.L.508, NO.142),
26 KNOWN AS THE SUNSET ACT.

27 (B) PERSONS WHO ARE MEMBERS OF THE STATE PLANNING BOARD, ON
28 THE EFFECTIVE DATE OF THIS ACT, SHALL CONTINUE TO SERVE ON THE
29 BOARD PROVIDED FOR IN THIS ACT UNTIL THEIR CURRENT TERMS EXPIRE
30 AND UNTIL THEIR SUCCESSORS ARE DULY APPOINTED AND QUALIFIED.

1 SECTION 10. THE SUM OF \$145,000 IS HEREBY APPROPRIATED TO
2 THE DEPARTMENT OF COMMERCE FOR THE FISCAL YEAR 1988-1989 TO
3 CARRY OUT THE PROVISIONS OF SECTION 2 OF THIS ACT.

4 SECTION 11. THE SUM OF \$2,000,000, OR AS MUCH THEREOF AS MAY
5 BE NECESSARY, IS HEREBY APPROPRIATED TO THE DEPARTMENT OF
6 COMMUNITY AFFAIRS FOR THE FISCAL YEAR JULY 1, 1988, TO JUNE 30,
7 1989, FOR THE ETHNIC AND MULTICULTURAL SOCIAL SERVICE GRANTS
8 PROGRAM.

9 SECTION 12. (A) SECTION 7.1 OF THE ACT OF MAY 10, 1939
10 (P.L.111, NO.51), KNOWN AS THE COMMERCE LAW, IS REPEALED.

11 (B) REORGANIZATION PLAN NO. 1 OF 1955 (P.L.2045), IS
12 ABROGATED.

13 Section 2.—~~This~~ 13. SECTION 4 (SECTION 529) OF THIS act <—
14 shall apply to all survivor-spouse annuitants who attain such
15 status subsequent to the effective date of this act.

16 ~~Section 3.—This act shall take effect in 60 days.~~ <—

17 SECTION 14. THIS ACT SHALL TAKE EFFECT AS FOLLOWS: <—

18 (1) SECTIONS 4 (SECTION 529) AND 13 OF THIS ACT SHALL
19 TAKE EFFECT IN 60 DAYS.

20 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT JANUARY
21 1, 1989.