

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1633 Session of  
1997

INTRODUCED BY HERSHEY, EGOLF, O'BRIEN, E. Z. TAYLOR, LUCYK,  
BAKER, BARD, BELARDI, BELFANTI, BOSCOLA, CIVERA, DALEY,  
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TRELLO, WAUGH, WILT, WOGAN, YOUNGBLOOD, ZUG, MICHLOVIC AND  
BENNINGHOFF, JUNE 11, 1997

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY  
PREPAREDNESS, JUNE 11, 1997

AN ACT

1 Amending Title 51 (Military Affairs) of the Pennsylvania  
2 Consolidated Statutes, providing for the powers and duties of  
3 the Deputy Adjutant General for Veterans Affairs; and making  
4 a repeal.

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

7 Section 1. Section 902(12) of Title 51 of the Pennsylvania  
8 Consolidated Statutes is amended to read:

9 § 902. General powers and duties of Adjutant General.

10 The Adjutant General as head of the department is responsible  
11 to the Commonwealth and to the Governor for the organization and  
12 functioning of said department, and the performance and carrying  
13 out of all the duties, powers and responsibilities given or  
14 delegated. In addition he is hereby authorized and directed to:

15 \* \* \*

16 (12) Appoint a Deputy Adjutant General for Veterans

Affairs, who shall serve as the Director of the Bureau for  
Veterans' Affairs.

\* \* \*

Section 2. Chapter 17 of Title 51 is repealed and the title  
is amended by adding a chapter to read:

CHAPTER 17

STATE VETERANS' COMMISSION  
AND DEPUTY ADJUTANT GENERAL  
FOR VETERANS AFFAIRS

Subchapter

A. State Veterans' Commission

B. Deputy Adjutant General for Veterans Affairs

SUBCHAPTER A

STATE VETERANS' COMMISSION

Sec.

1701. Definitions.

1702. State Veterans' Commission.

1703. General powers and duties.

1704. Specific powers and duties.

§ 1701. Definitions.

The following words and phrases when used in this chapter  
shall have the meanings given to them in this section unless the  
context clearly indicates otherwise:

"Commission." The State Veterans' Commission established by  
this chapter.

§ 1702. State Veterans' Commission.

(a) Establishment.--There is hereby established within the  
department an advisory commission to be known as the State  
Veterans' Commission.

(b) Composition.--The commission shall be composed of:

1           (1) The Adjutant General, ex officio, or his designee.

2           (2) The State commander, commandant or head, or his  
3           designee, of each of the following named veterans'  
4           organizations:

5                 (i) The American Legion.

6                 (ii) AMVETS.

7                 (iii) Blinded Veterans Association.

8                 (iv) Catholic War Veterans of the United States of  
9           America.

10                (v) Disabled American Veterans.

11                (vi) Jewish War Veterans of the United States.

12                (vii) Marine Corps League.

13                (viii) Military Order of the Purple Heart.

14                (ix) State Association of County Directors of  
15           Veterans' Affairs.

16                (x) Veterans of Foreign Wars of the United States.

17                (xi) Veterans of World War I of the United States of  
18           America, Inc.

19                (xii) Italian-American War Veterans of the United  
20           States, Inc.

21                (xiii) The Vietnam Veterans of America, Inc.

22                (xiv) American Ex-Prisoners of War.

23           (3) Four members at large appointed by the Governor from  
24           a list provided by the Adjutant General, each of whom shall  
25           be a veteran and a member in good and regular standing of a  
26           Pennsylvania branch, post, lodge or club of a recognized  
27           national veterans' organization active in this Commonwealth.  
28           At least one member shall be a female veteran and at least  
29           one member shall be a veteran of the Vietnam era. Members at  
30           large shall serve a term of four years and until a successor

1 has been appointed.

2 (4) The State Adjutants of the American Legion, the  
3 Disabled American Veterans (DAV) and the Veterans of Foreign  
4 Wars (VFW), as nonvoting members.

5 (c) Officers.--The commission shall annually elect a  
6 chairman and vice chairman at the first meeting of the  
7 commission after October 1. The Deputy Adjutant General for  
8 Veterans' Affairs shall serve as the executive secretary to the  
9 commission.

10 (d) Compensation and expenses.--Members of the commission  
11 shall receive no compensation for their services but shall  
12 receive reimbursement for their necessary and proper expenses  
13 for attendance at meetings.

14 (e) Meetings and quorum.--The commission shall meet upon the  
15 call of the chairman or the Adjutant General. Nine members of  
16 the commission shall constitute a quorum.

17 (f) Declared vacancies.--The Governor, upon recommendation  
18 of the Adjutant General, shall declare a vacancy to exist  
19 whenever any member at large fails to attend three consecutive  
20 meetings without good cause. Any declared vacancy shall be  
21 filled for the unexpired term.

22 § 1703. General powers and duties.

23 The commission shall advise the Adjutant General and the  
24 department on all matters pertaining to the status, welfare,  
25 benefits, employment and support of veterans and veterans'  
26 programs in this Commonwealth and shall perform such other  
27 functions as are provided by law.

28 § 1704. Specific powers and duties.

29 The commission shall have the following powers and duties:

30 (1) Advise the Adjutant General upon such matters as the

1 Adjutant General may bring before it.

2 (2) Investigate the work of the department and make  
3 recommendations to it regarding the department's  
4 administration of the laws providing for the payment of  
5 pensions and relief, for the marking of graves of veterans  
6 and for the selection, acquisition and maintenance of a State  
7 Military Cemetery.

8 (3) Investigate and recommend to the Governor  
9 legislation for submission to the General Assembly concerning  
10 veterans and their activities.

11 (4) Oversee veterans' emergency assistance payments  
12 under Chapter 85 (relating to veterans' emergency  
13 assistance).

14 (5) Certify educational gratuity payments for eligible  
15 children under Chapter 87 (relating to educational gratuity  
16 program).

17 (6) Determine eligibility of veteran applicants for real  
18 property tax exemptions under Chapter 89 (relating to  
19 disabled veterans' real estate tax exemption).

20 (7) Promulgate rules and regulations governing all  
21 actions of the commission under paragraphs (4), (5) and (6).

22 SUBCHAPTER B

23 DEPUTY ADJUTANT GENERAL

24 FOR VETERANS AFFAIRS

25 Sec.

26 1711. Qualifications and status.

27 1712. Specific duties.

28 § 1711. Qualifications and status.

29 (a) Deputy Adjutants General.--In addition to such other  
30 Deputy Adjutants General as may be named in the department,

1 there shall be a Deputy Adjutant General for Veterans Affairs,  
2 who shall perform the duties under section 1712 (relating to  
3 specific duties) and such other duties as the Adjutant General  
4 may assign.

5 (b) Appointment.--The Deputy Adjutant General for Veterans  
6 Affairs shall be selected and appointed as other Deputy  
7 Adjutants General are selected and appointed. He shall be a  
8 veteran and an active member of at least one of the veterans'  
9 organizations listed under section 1702(b) (relating to State  
10 Veterans' Commission).

11 (c) Compensation.--The compensation of the Deputy Adjutant  
12 General for Veterans Affairs shall be as established by law.

13 (d) Status.--The Deputy Adjutant General for Veterans  
14 Affairs shall be accorded all the rights, emoluments and  
15 privileges, except pay and allowances, of a brigadier general in  
16 the Pennsylvania Guard and shall be addressed as "general."  
17 § 1712. Specific duties.

18 In addition to such other duties as may be provided by law or  
19 as assigned by the Adjutant General, the Deputy Adjutant General  
20 for Veterans Affairs shall have the following specific duties:

21 (1) To recommend to the Adjutant General and the  
22 Governor, with the advice of the State Veterans' Commission,  
23 new legislation and amendments to existing statutes  
24 concerning veterans and their activities for consideration by  
25 the General Assembly.

26 (2) To cooperate with all Federal and State departments  
27 and agencies in the interest of veterans.

28 (3) To aid in filing and prosecuting claims of  
29 Pennsylvania's veterans and their dependents under Federal or  
30 State laws or regulations.

1           (4) To aid veterans in seeking employment or  
2           reemployment after their honorable discharge from the armed  
3           forces of the United States.

4           (5) To aid veterans requiring medical care in securing  
5           hospitalization provided by a Federal or State medical or  
6           care facility.

7           (6) To aid in the rehabilitation of injured, wounded or  
8           compensable veterans in educational institutions or  
9           vocational training institutions for which they may be  
10          eligible by law.

11          (7) To cooperate with and advise the Department of  
12          Education with respect to vocational training programs for  
13          veterans, particularly programs suited to casualties.

14          (8) To administer relief provided by the Commonwealth  
15          for veterans and their dependents.

16          (9) To administer the distribution under the direction  
17          of the Adjutant General of any compensation to veterans or  
18          their dependents that has been or may be granted by the  
19          Commonwealth.

20          (10) To investigate the work of other State agencies in  
21          administering laws affecting veterans and their dependents.

22          (11) To investigate, compile and maintain complete and  
23          accurate data concerning veterans of the armed forces of the  
24          United States and all State and municipal activities related  
25          thereto.

26          (12) To compile from the records transmitted from the  
27          various counties of this Commonwealth a record of the burial  
28          places in this Commonwealth of deceased veterans, including  
29          such information as the Deputy Adjutant General for Veterans  
30          Affairs or his designee deems necessary and appropriate.

1           (13) To disseminate information concerning  
2       Pennsylvania's veterans and Pennsylvania's veterans' programs  
3       to veterans' organizations, to the public press and other  
4       media and to the general public.

5           (14) To biannually submit, through the Adjutant General,  
6       to the Governor a report of State activities on behalf of  
7       veterans.

8           (15) To serve as a clearinghouse for all problems or  
9       issues related to Pennsylvania's veterans and their  
10      dependents.

11          (16) To serve as Executive Secretary of the State  
12      Veterans' Commission.

13      Section 3. Section 1412 of the act of April 9, 1929  
14      (P.L.177, No.175), known as The Administrative Code of 1929, is  
15      repealed.

16      Section 4. This act shall take effect immediately.