

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1471 Session of
1987

INTRODUCED BY RICHARDSON, PISTELLA, R. C. WRIGHT, KOSINSKI,
CARN, KUKOVICH, LINTON AND ROEBUCK, JUNE 10, 1987

REFERRED TO COMMITTEE ON URBAN AFFAIRS, JUNE 10, 1987

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 employes 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 employes of certain departments, boards and
20 commissions shall be determined," creating the Department of
21 Housing; defining its powers and duties; providing for the
22 appointment of a Secretary of Housing; transferring certain
23 personnel, allocations, appropriations, etc. of the
24 Department of Community Affairs to the Department of Housing;
25 and making repeals.

26 The General Assembly of the Commonwealth of Pennsylvania
27 hereby enacts as follows:

28 Section 1. Sections 201, 206 and 207.1(d)(1) of the act of
29 April 9, 1929 (P.L.177, No.175), known as The Administrative

1 Code of 1929, amended December 30, 1984 (P.L.1299, No.245), are
2 amended to read:

3 Section 201. Executive Officers, Administrative Departments
4 and Independent Administrative Boards and Commissions.--(a) The
5 executive and administrative work of this Commonwealth shall be
6 performed by the Executive Department, consisting of the
7 Governor, Lieutenant Governor, Secretary of the Commonwealth,
8 Attorney General, Auditor General, State Treasurer, and
9 Secretary of Education; by the Executive Board, and the
10 Pennsylvania State Police; by the following administrative
11 departments: Department of State, Office of Attorney General,
12 Department of Corrections, Department of the Auditor General,
13 Treasury Department, Department of Education, Department of
14 Military Affairs, Insurance Department, Department of Banking,
15 Department of Agriculture, Department of Transportation,
16 Department of Health, Department of Labor and Industry,
17 Department of Aging, Department of Public Welfare, Department of
18 General Services, Department of Revenue, Department of Commerce,
19 Department of Community Affairs, Department of Housing and
20 Department of Environmental Resources; and by the following
21 independent administrative boards and commissions: Pennsylvania
22 Game Commission, Pennsylvania Fish Commission, State Civil
23 Service Commission, Pennsylvania Public Utility Commission, the
24 Pennsylvania Historical and Museum Commission and the
25 Pennsylvania Securities Commission.

26 (b) All of the provisions of this act, which apply generally
27 to administrative departments, or generally except to the
28 Department of the Auditor General, the Treasury Department and
29 the Office of Attorney General, shall apply to the Executive
30 Board and to the Pennsylvania State Police.

1 Section 206. Department Heads.--(a) Each administrative
2 department shall have as its head an officer who shall, either
3 personally, by deputy, or by the duly authorized agent or
4 employe of the department, and subject at all times to the
5 provisions of this act, exercise the powers and perform the
6 duties by law vested in and imposed upon the department.

7 (b) The following officers shall be the heads of the
8 administrative departments following their respective titles:

9 Secretary of the Commonwealth, of the Department of State;
10 Auditor General, of the Department of the Auditor General;
11 State Treasurer, of the Treasury Department;
12 Attorney General, of the Office of Attorney General;
13 Secretary of Education, of the Department of Education;
14 Adjutant General, of the Department of Military Affairs;
15 Insurance Commissioner, of the Insurance Department;
16 Secretary of Banking, of the Department of Banking;
17 Secretary of Agriculture, of the Department of Agriculture;
18 Secretary of Transportation, of the Department of
19 Transportation;
20 Secretary of Health, of the Department of Health;
21 Secretary of Labor and Industry, of the Department of Labor
22 and Industry;
23 Secretary of Aging, of the Department of Aging;
24 Secretary of Public Welfare, of the Department of Public
25 Welfare;
26 Secretary of Revenue, of the Department of Revenue;
27 Secretary of Commerce, of the Department of Commerce;
28 Secretary of Community Affairs, of the Department of
29 Community Affairs;
30 Secretary of Environmental Resources, of the Department of

Environmental Resources;
Secretary of General Services, of the Department of General
Services;
Secretary of Corrections, of the Department of Corrections.
Secretary of Housing, of the Department of Housing.

Section 207.1. Gubernatorial Appointments.--* * *

(d) The Governor shall nominate in accordance with the
provisions of the Constitution of the Commonwealth of
Pennsylvania and, by and with the advice and consent of a
majority of the members elected to the Senate appoint persons to
fill the following positions:

(1) The Secretary of Education, the Secretary of the
Commonwealth, the Adjutant General, the Insurance Commissioner,
the Secretary of Banking, the Secretary of Agriculture, the
Secretary of Transportation, the Secretary of Health, the
Commissioner of the State Police, the Secretary of Corrections,
the Secretary of Labor and Industry, the Secretary of Aging, the
Secretary of Public Welfare, the Secretary of General Services,
the Secretary of Revenue, the Secretary of Commerce, the
Secretary of Community Affairs, the Secretary of Housing and the
Secretary of Environmental Resources.

* * *

Section 2. The act is amended by adding an article to read:

ARTICLE XXV-D

POWERS AND DUTIES OF THE DEPARTMENT

OF HOUSING

Section 2501-D. Powers and Duties in General.--The
Department of Housing, hereinafter referred to in this article
as the department, shall, subject to any inconsistent provisions
in this act contained, have the power and its duty shall be to:

1 (1) Coordinate all programs, grants and subsidies relating
2 to housing made available to municipalities by the Commonwealth
3 and by the Federal government.

4 (2) Develop and operate a central clearing house for
5 information and data relating to housing including, but not
6 limited to, information concerning housing programs, grants and
7 subsidies available to municipalities, the procedures for making
8 application for such programs, grants and subsidies and
9 solutions to recurring housing problems facing municipalities.

10 (3) Maintain liaison with municipalities of the Commonwealth
11 to assist such municipalities in improving housing.

12 (4) Review housing policy of the Commonwealth and of the
13 Federal government and advise municipalities concerning all
14 aspects of such policy.

15 (5) Conduct research into all facets of housing with special
16 emphasis on research into housing problems and upon request of a
17 specific municipality to conduct, under contract mutually agreed
18 upon, extensive and continuous research on housing problems of
19 such municipality.

20 (6) To conduct investigations into and to hold hearings on
21 housing problems.

22 (7) Provide direct consultive services to municipalities
23 upon request and staff services to special commissions, the
24 Governor or the General Assembly, as directed, with regard to
25 all aspects of housing.

26 (8) Provide technical assistance and research to
27 municipalities participating in various housing programs.

28 (9) Coordinate and whenever provided by law supervise or
29 administer the various programs of State and Federal assistance
30 and grants relating to housing, including, but limited to,

1 redevelopment, urban renewal, urban planning assistance, Project
2 70, area development and revitalization of central city cores,
3 and to furnish comprehensive planning and technical assistance
4 on any program set forth in this article.

5 (10) Furnish assistance and advice to municipalities with
6 regard to the preparation and enforcement of housing codes and
7 ordinances.

8 (11) Aid in the preparation of and distribute handbooks,
9 research, financial and other reports relating to housing
10 derived from the activities of the department.

11 (12) Exercise those functions formerly vested in the
12 Department of Community Affairs relating to housing.

13 (13) Generally do any and all things necessary to make this
14 act effective.

15 (14) Subject to the limitations of this act and of law, the
16 Secretary of Housing shall, from time to time, establish rules
17 and regulations to better carry this act into effect.

18 (15) To make grants to any two or more counties, cities,
19 boroughs, incorporated towns, townships, or any other similar
20 general purpose unit of government which shall hereafter be
21 created by the General Assembly, or to any body which is
22 authorized to act in behalf of two or more units of government,
23 for the purpose of assisting them in acting in concert in the
24 performance of any local governmental function or functions
25 relating to housing for the purpose of conducting studies and
26 investigations to determine the feasibility and desirability of
27 acting in concert in the performance of local governmental
28 functions relating to housing.

29 Section 3. The Secretary of Housing shall receive an annual
30 salary of \$41,250, payable in semimonthly installments.

1 Section 4. All personnel, allocations, appropriations,
2 equipment, files, records, contracts, agreements, obligations,
3 and other materials which are used, employed or expended by the
4 Department of Community Affairs in connection with the powers,
5 duties or functions exercised under this act by the Department
6 of Housing are hereby transferred to the Department of Housing
7 with the same force and effect as if the appropriations had been
8 made to and said items had been the property of the Department
9 of Housing in the first instance and as if said contracts,
10 agreements and obligations had been incurred or entered into by
11 said Department of Housing.

12 Section 5. (a) All positions in the Department of Housing
13 shall be deemed to be included in the list of positions set
14 forth in section 3(d) of the act of August 5, 1941 (P.L.752,
15 No.286), known as the Civil Service Act, and the provisions and
16 benefits of the act shall be applicable to the employees of, and
17 positions in, the department.

18 (b) All personnel transferred to the Department of Housing
19 from other State agencies and departments pursuant to this act
20 shall retain any civil service or other employment status
21 assigned to said personnel in those departments and agencies
22 prior to the effective date of this act.

23 Section 6. All acts and parts of acts are repealed insofar
24 as they are inconsistent with this act.

25 Section 7. Prior to such effective date of this act, the
26 Governor may nominate a Secretary of Housing whose term of
27 office shall begin on the effective date of this act.

28 Section 8. This act shall take effect in 120 days.