

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 51

Session of
2001

INTRODUCED BY EARLL, M. WHITE, KUKOVICH, SCHWARTZ, CONTI,
TARTAGLIONE, HUGHES AND KITCHEN, JANUARY 23, 2001

AS AMENDED ON SECOND CONSIDERATION, JUNE 18, 2001

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," exempting certain persons
21 from Federal law relating to public assistance.

22 The General Assembly of the Commonwealth of Pennsylvania
23 hereby enacts as follows:

24 Section 1. Section 2301 of the act of April 9, 1929
25 (P.L.177, No.175), known as The Administrative Code of 1929,
26 amended July 13, 1957 (P.L.852, No.390), is amended to read:

1 Section 2301. Powers and Duties in General.--(a) The
2 Department of Public Welfare shall, subject to any inconsistent
3 provisions in this act contained, continue to exercise the
4 powers and perform the duties by law vested in and imposed upon
5 the said department, the Secretary of Public Welfare, and the
6 former Department of Public Welfare, and Commissioner of Public
7 Welfare, and the former Department of Welfare.

8 (b) Pursuant to the authorization provided to the states
9 under the Personal Responsibility and Work Opportunity
10 Reconciliation Act of 1996 (Public Law 104-193, 21 U.S.C. §
11 862a(d)(1)(A)), Pennsylvania elects to exempt all individuals
12 domiciled in the State from application of 21 U.S.C. § 862a(a).
13 After approval of benefits, the Department of Public Welfare
14 shall refer all affected individuals for assessment and
15 treatment pursuant to the act of April 14, 1972 (P.L.221,
16 No.63), known as the "Pennsylvania Drug and Alcohol Abuse
17 Control Act." THIS SUBSECTION SHALL NOT BE CONSTRUED TO ALTER OR <—
18 SUPERSEDE THE PROVISIONS OF SECTION 405.1 OF THE ACT OF JUNE 13,
19 1967 (P.L.31, NO.21), KNOWN AS THE "PUBLIC WELFARE CODE."

20 Section 2. This act shall take effect in 60 days.