

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 58 Session of 2019

INTRODUCED BY WALSH, GROVE, RYAN, DOWLING, SCHEMEL, ORTITAY, FRITZ, ROTHMAN, BERNSTINE, KAUFFMAN, WHEELAND, ZIMMERMAN, MILLARD, IRVIN, COOK, HELM AND GAYDOS, MARCH 14, 2019

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 14, 2019

AN ACT

1 Amending the act of June 27, 1996 (P.L.403, No.58), entitled "An
 2 act to enhance community and economic development in this
 3 Commonwealth by restructuring certain administrative
 4 functions and entities; changing the name of the Department
 5 of Commerce to the Department of Community and Economic
 6 Development; transferring functions of the Department of
 7 Community Affairs into the Department of Community and
 8 Economic Development and other agencies; providing for a
 9 Deputy Secretary for Community Affairs and Development in the
 10 Department of Community and Economic Development;
 11 establishing the Center for Local Government Services and the
 12 Local Government Advisory Committee; establishing the Small
 13 Business Advocacy Council; conferring powers and duties on
 14 the Legislative Reference Bureau; and making repeals," in
 15 transfers of functions, transferring functions, duties and
 16 entities to the Department of Community and Economic
 17 Development; in restructuring of certain administrative
 18 entities, providing for State Apprenticeship and Training
 19 Council; and, in restructuring of certain memberships and
 20 participation, providing for membership on the State
 21 Apprenticeship and Training Council.

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

24 Section 1. The act of June 27, 1996 (P.L.403, No.58), known
 25 as the Community and Economic Development Enhancement Act, is
 26 amended by adding sections to read:

27 Section 302.1. To Department of Community and Economic

1 Development.

2 (a) Transfers from Department of Labor and Industry.--The
3 following functions, duties and entities of the Department of
4 Labor and Industry shall be transferred to the department:

5 (1) The duties of the Commonwealth under sections 126,
6 127, 128 and 129 of the Workforce Innovation and Opportunity
7 Act (Public Law 113-128, 29 U.S.C. § 3161 et seq.).

8 (2) The duties of the Commonwealth under sections 131,
9 132, 133 and 134 of the Workforce Innovation and Opportunity
10 Act (29 U.S.C. § 3171 et seq.).

11 (3) The duties of the Commonwealth under sections 1, 2,
12 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of the Wagner-Peyser
13 Act (48 Stat. 113, 29 U.S.C. §§ 49, 49a, 49b, 49c, 49d, 49e,
14 49f, 49g, 49h, 49i, 49j, 49k and 49l).

15 (4) The duties under Chapter 13 of the act of December
16 18, 2001 (P.L.949, No.114), known as the Workforce
17 Development Act.

18 (5) The duties under the act of July 14, 1961 (P.L.604,
19 No.304), known as The Apprenticeship and Training Act.

20 (6) The Apprenticeship and Training Office.

21 (7) The Center for Workforce Information and Analysis.

22 (8) The Comprehensive Workforce Development System.

23 (9) The New Choices/New Options program.

24 (10) The duties under section 2599.4 of the act of March
25 10, 1949 (P.L.30, No.14), known as the Public School Code of
26 1949.

27 (11) The duties of the Commonwealth under the Worker
28 Adjustment and Retraining Notification Act (Public Law 100-
29 379, 29 U.S.C. § 2101 et seq.).

30 (12) The duties under sections 235, 235A, 236, 237 and

1 238 of the Trade Act of 1974 (Public Law 93-618, 19 U.S.C. §§
2 2295, 2295a, 2296 and 2297).

3 (b) Transfers from Department of Human Services.--The
4 following functions, duties and entities of the Department of
5 Human Services shall be transferred to the department:

6 (1) Employment and training programs funded under Part A
7 of Title IV of the Personal Responsibility and Work
8 Opportunity Reconciliation Act of 1996 (Public Law 104-193,
9 42 U.S.C. § 601 et seq.).

10 (2) Employment and training programs under section 6(d)
11 of the Food and Nutrition Act of 2008 (Public Law 88-525, 7
12 U.S.C. § 2105(d)(4)).

13 (3) The program established under section 405.1B of the
14 act of June 13, 1967 (P.L.31, No.21), known as the Human
15 Services Code.

16 (c) Functions to be consolidated.--The functions transferred
17 to the department under subsections (a) and (b) shall be
18 consolidated with similar functions of the department within the
19 department into division, section or other organizational entity
20 devoted to workforce development. The Governor shall appoint a
21 Deputy Secretary for Workforce Development. The deputy secretary
22 shall have the powers and perform the functions and duties
23 transferred to the department under subsections (a) and (b) and
24 other such functions and duties authorized by the Governor.

25 (d) Office of Vocational Rehabilitation.--The department and
26 the Department of Labor and Industry shall enter into a
27 memorandum of understanding under which the services provided
28 under Title I of the Rehabilitation Act of 1973 (Public Law 93-
29 112, 29 U.S.C. § 701 et seq.), other than section 112 of the
30 Rehabilitation Act of 1973 (29 U.S.C. § 732) or part C of the

1 Rehabilitation Act of 1973 (29 U.S.C. § 741) that relate to
2 vocational rehabilitation services are, to the maximum extent
3 practicable, provided by the department.

4 (e) Documentation required for Federal programs.--The
5 department shall provide any necessary data, documentation or
6 verification needed by the Department of Labor and Industry or
7 the Department of Human Services which may be necessary to
8 effectuate the transfers under subsections (a) and (b).

9 Section 903. State Apprenticeship and Training Council.

10 The State Apprenticeship and Training Council as provided for
11 in section 3 of the act of July 14, 1961 (P.L.604, No.304),
12 known as The Apprenticeship and Training Act, is hereby placed
13 and made a departmental board in the Department of Community and
14 Economic Development.

15 Section 1111. Membership on the State Apprenticeship and
16 Training Council.

17 In place of the membership of the Deputy Secretary of the
18 Department of Labor and Industry on the State Apprenticeship and
19 Training Council under section 3 of the act of July 14, 1961
20 (P.L.604, No.304), known as The Apprenticeship and Training Act,
21 the Deputy Secretary for Workforce Development shall serve as an
22 ex officio member of the council but shall not be entitled to
23 vote, except that in the event of a tie vote, the Deputy
24 Secretary for Workforce Development shall have the right to cast
25 the tie-breaking vote.

26 Section 2. Section 3 of the act of July 14, 1961 (P.L.604,
27 No.304), known as The Apprenticeship and Training Act, is
28 repealed to the extent that it is inconsistent with this act.

29 Section 3. This act shall take effect in 180 days.