

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2287 Session of
1978

INTRODUCED BY McCLATCHY, E. Z. TAYLOR, PETERSON, BURNS, NOYE,
POTT, WASS, HALVERSON, HELFRICK, PYLES, J. L. WRIGHT JR.,
D. S. HAYES, WILT, KNEPPER, MEBUS, TADDONIO, MOWERY,
O'CONNELL, CESSAR AND HASKELL, APRIL 4, 1978

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 4, 1978

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 Aging and prescribing its functions, powers and duties;
22 establishing a Council on Services for the Aging and a
23 Technical Advisory Committee on Aging; and providing for
24 district planning and service areas and for area agencies.

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

27 Section 1. Section 201, act of April 9, 1929 (P.L.177,
28 No.175), known as "The Administrative Code of 1929," amended

1 July 22, 1975 (P.L.75, No.45) and December 19, 1975 (P.L.602,
2 No.172), is amended to read:

3 Section 201. Executive Officers, Administrative Departments
4 and Independent Administrative Boards and Commissions.--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, Department of Justice,
12 Department of the Auditor General, Treasury Department,
13 Department of Education, Department of Military Affairs,
14 Insurance Department, Department of Banking, Department of
15 Agriculture, Department of Transportation, Department of Health,
16 Department of Labor and Industry, Department of Aging,
17 Department of Public Welfare, Department of General Services,
18 Department of Revenue, Department of Commerce, Department of
19 Community Affairs and Department of Environmental Resources; and
20 by the following independent administrative boards and
21 commissions: Pennsylvania Game Commission, Pennsylvania Fish
22 Commission, State Civil Service Commission, Pennsylvania Public
23 Utility Commission, the Pennsylvania Historical and Museum
24 Commission and the Pennsylvania Securities Commission.

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

30 Section 2. As much as applies to the Department of Public

1 Welfare of section 203 of the act, amended December 3, 1970
2 (P.L.834, No.275), is amended to read:

3 Section 203. Advisory Boards and Commissions.--The following
4 advisory boards and commissions are placed in and made parts of
5 the respective administrative departments, as follows:

6 * * *

7 In the Department of Public Welfare,
8 State Board of Public Welfare,
9 [Advisory Committee for the Aging,]
10 Advisory Committee for the Blind,
11 Advisory Committee for General and Special Hospitals,
12 Advisory Committee for Children and Youth,
13 Advisory Committee for Public Assistance,
14 Advisory Committee for Mental Health and Mental
15 Retardation;

16 * * *

17 Section 3. Section 206 of the act, amended July 22, 1975
18 (P.L.75, No.45), is amended to read:

19 Section 206. Department Heads.--Each administrative
20 department shall have as its head an officer who shall, either
21 personally, by deputy, or by the duly authorized agent or
22 employe of the department, and subject at all times to the
23 provisions of this act, exercise the powers and perform the
24 duties by law vested in and imposed upon the department.

25 The following officers shall be the heads of the
26 administrative departments following their respective titles:

27 Secretary of the Commonwealth, of the Department of State;
28 Attorney General, of the Department of Justice;
29 Auditor General, of the Department of the Auditor General;
30 State Treasurer, of the Treasury Department;

Secretary of Education, of the Department of Education;
Adjutant General, of the Department of Military Affairs;
Insurance Commissioner, of the Insurance Department;
Secretary of Banking, of the Department of Banking;
Secretary of Agriculture, of the Department of Agriculture;
Secretary of Transportation, of the Department of
Transportation;
Secretary of Health, of the Department of Health;
Secretary of Labor and Industry, of the Department of
Labor and Industry;
Secretary of Aging, of the Department of Aging;
Secretary of Public Welfare, of the Department of Public
Welfare;
Secretary of Revenue, of the Department of Revenue;
Secretary of Commerce, of the Department of Commerce;
Secretary of Community Affairs, of the Department of
Community Affairs;
Secretary of Environmental Resources, of the Department
of Environmental Resources;
Secretary of General Services, of the Department of
General Services.

Section 4. Clause (1) of subsection (d) of section 207.1 of
the act, added November 8, 1976 (P.L.1109, No.227), is amended
to read:

Section 207.1. Gubernatorial Appoints.--* * *

(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 Attorney General, 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 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 and the Secretary of Environmental Resources.

* * *

Section 5. The first paragraph of subsection (1) of section 448 of the act, amended July 9, 1970 (P.L.470, No.161), is amended to read:

Section 448. Advisory Boards and Commissions.--The advisory boards and commissions, within the several administrative departments, shall be constituted as follows:

* * *

(1) The following advisory committees are hereby created:
[Advisory Committee for the Aging,]
Advisory Committee for the Blind,
Advisory Committee for General and Special Hospitals,
Advisory Committee for Children and Youth,
Advisory Committee for Public Assistance,
Advisory Committee for Mental Health and Mental Retardation.

* * *

Section 6. Section 2210.1 of the act is repealed.

Section 7. The act is amended by adding an article to read:

ARTICLE XXII-A

DEPARTMENT OF AGING

Section 2201-A. Powers and Duties in General.--(a)The

1 Department of Aging shall, subject to any inconsistent
2 provisions in this act contained, exercise all the powers and
3 perform all the duties by law formerly vested in and imposed
4 upon:

5 (1) The Department of Public Welfare by section 601, of the
6 act of June 13, 1967 (P.L.31, No.21), known as the "Public
7 Welfare Code";

8 (2) The Department of Transportation by the act of January
9 22, 1968 (P.L.42, No.8), known as the "Pennsylvania Urban Mass
10 Transportation Assistance Law of 1967"; and

11 (3) The Department of Revenue by the act of March 11, 1971
12 (P.L.104, No.3), known as the "Senior Citizens Property Tax or
13 Rent Rebate Act."

14 (b) The Department of Aging hereinafter referred to in this
15 article as the department shall, subject to any inconsistent
16 provisions in this act contained, have the power and its duty
17 shall be to:

18 (1) Evaluate the need for services for the aged within the
19 State and determine the extent to which public and private
20 programs meet such a need.

21 (2) Develop, in cooperation with the Council of Aging, a
22 basic policy for State programs and activities for older
23 persons, expressed in a five-year plan updated annually. The
24 basic policy shall be expressed as a comprehensive plan to meet
25 the needs of the aging. In developing the comprehensive plan the
26 department shall consider the advice and recommendations of
27 older persons and groups of older persons.

28 (3) Coordinate the activities and programs of the
29 administrative departments, boards, commissions and agencies of
30 the Commonwealth relating to or affecting older persons.

1 (4) Maintain a clearinghouse of information related to the
2 interests of older persons and provide technical assistance and
3 consultation to all agencies, both public and private with
4 respect to programs and services for older persons including,
5 but not limited to:

6 (i) Geriatric Centers,

7 (ii) Nursing Homes,

8 (iii) Rental Housing Programs,

9 (iv) Resident Hunting and Fishing Licenses,

10 (v) Drug and Alcohol Abuse,

11 (vi) Adult Day Care Centers; and

12 (vii) Motor Vehicle Licenses and Registration.

13 (5) Serve as an advocate for the aging at all levels of
14 government and within the community at large.

15 (6) Promote and protect the rights of aged persons to be
16 free from discrimination in areas including, but not limited to
17 employment, housing, auto insurance, and public accommodations.

18 (7) Provide for services to the aging through area agencies
19 for the aging authorized in accordance with the Federal Older
20 Americans Act and applicable State law and to stimulate services
21 and opportunities for the aging which are not otherwise
22 available.

23 (8) Develop and operate efficient and coordinated rural
24 transportation services in order to provide free local transit
25 for the aging.

26 (9) Administer the State plan for the aging required by
27 Federal law.

28 (10) Provide staff support as may reasonably be required by
29 the Council of Aging and the Technical Advisory Committee.

30 (11) Promote community education regarding the problems of

1 older persons through institutes, publications, and use of
2 communications media.

3 (12) Cooperate with agencies of the Federal Government in
4 studies and conferences designed to examine the needs of the
5 aging population and to prepare programs and facilities to meet
6 those needs.

7 (13) Make recommendations for legislative action to the
8 Governor and the General Assembly.

9 (14) Develop and conduct in coordination with other
10 agencies, research, demonstration programs and training programs
11 to advance the interests of older persons.

12 (15) Function as the State agency to receive and disburse
13 area services for the aging through Federal and other funds made
14 available for providing services to the aging to stimulate more
15 effective use of existing resources.

16 (16) Publish a description of the organization and function
17 of the department so that all interested agencies and
18 individuals be better able to solicit assistance from the
19 department.

20 (17) Review all proposed Commonwealth program plans and
21 policies, and administrative regulations that are published in
22 the Pennsylvania Bulletin for their impact on older persons.
23 Where the secretary believes that they have an impact on older
24 persons, he shall comment in accordance with the provisions of
25 the Commonwealth Documents Law. Any comment indicating
26 disapproval of all or part of the proposed administrative
27 regulations shall be specifically considered by the agency and
28 commented on by the agency if it adopts the provisions to which
29 the secretary objected in its order adopting the regulations.

30 (18) Make and enforce rules and regulations necessary and

proper to the performance of its duties: Provided, however, That no department regulation relating to the funding or the provision of services to the aging by area agencies shall be adopted without the department first obtaining the advice of the Council of Aging.

Section 2202-A. Council of Services for the Aging.--(a) There is hereby created within the Department of Aging, the Council of Services for the Aging which shall consist of twenty-three members, at least twelve of whom shall be sixty years of age or older. The members of the Technical Advisory Committee shall be ex-officio non-voting members of the council.

(b) The members of the council shall be appointed by the Governor and shall represent, so far as possible, different geographical sections of the State. Not more than fourteen of such appointments by the Governor shall be of the same political party. Of the members first appointed, as designated by the Governor at the time of each appointment, seven members shall serve on the council for a term of one year, eight members shall serve for a term of two years and eight members shall serve for a term of three years. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. Upon the expiration of the initial terms set forth herein, subsequent terms shall be for a period of three years. Members shall be eligible for reappointment.

(c) The council shall provide for its organization and procedure including the selection of a chairman and such other officers as deemed necessary.

(d) The citizen members of the council shall receive no compensation for their services on the council but shall be

reimbursed by the department for any ordinary and necessary expenses incurred in the performance of their duties.

(e) The council shall meet at least once each quarter, or as often as the chairman of the council deems necessary, or upon the written request of ten of the voting members of the council.

(f) The council shall have the following powers and duties:

(1) To review and comment upon reports of the Department of Aging to the Governor and the General Assembly.

(2) To prepare and submit to the Governor, the General Assembly and the Secretary of the Department of Aging an annual report evaluating the level and quality of services provided to the aging by State agencies.

(3) To review and comment upon the comprehensive State plan prepared by the Department of Aging.

(4) To review and comment upon disbursements of public funds to private agencies for the provision of services to the aging.

(5) To consult with the secretary regarding the operations of the Department of Aging.

(6) Review and advise the Secretary of the Department of Aging concerning any regulation of the Department of Aging relating to the funding or the provision of services by area agencies on aging.

Section 2203-A. Technical Advisory Committee of Aging.--(a) There is created the Technical Advisory Committee of Services for the Aging which shall consist of the Secretary of Aging as Chairman, the secretaries of the following departments or their designees: Community Affairs, Education, Health, Labor and Industry, Public Welfare, Revenue and Transportation.

(b) The Technical Advisory Committee shall meet as often as the chairman of the committee deems necessary.

1 (c) The Technical Advisory Committee shall serve as liaison
2 between the several State agencies and departments to facilitate
3 the effective delivery of services and planning for services to
4 the aging.

5 Section 2204-A. Planning and Service Area.--The Commonwealth
6 shall be divided into district planning and service areas
7 contiguous with the boundaries established pursuant to the
8 provisions of the act of October 20, 1966 (3rd Sp.Sess., P.L.96,
9 No.6), known as the "Mental Health and Mental Retardation Act of
10 1966," unless the Secretary of Aging, after consultation with
11 the Council of Aging agrees to the recommendations of local
12 authorities for a different geographical boundary. In
13 considering whether or not a different geographical boundary
14 should be employed, the secretary shall consider:

15 (1) Boundaries drawn and planned for administration and
16 planning of social service programs.

17 (2) Boundaries for county government.

18 (3) The geographical distribution of persons sixty years of
19 age or older.

20 (4) The needs of older persons for social service with
21 special attention to the needs of low income and minority.

22 (5) The distribution of resources available to provide
23 social services.

24 Section 2205-A. Designated Area Agencies.--(a) For each
25 planning and service area there shall be an area agency
26 established by the same local authority as that providing
27 community mental health and mental retardation services unless
28 the secretary, after consultation with the Council of Aging,
29 agrees to a request by local authorities for delivery of aging
30 services by an entity other than the local authority.

(b) An area agency so designated shall be (i) an established office of aging; or (ii) any office or agency of the local authority, which is designated for this purpose by the chief elected officials of the local authority; or (iii) any office or agency designated by the chief elected officials of a combination of local authorities to act on behalf of such combination for this purpose, and must provide assurance, found adequate by the department, that it will have the ability to develop and administer an area plan. Where a nonpublic agency is already serving as an area agency for the aging, a local authority may not act as a designated area agency for the aging without the prior express written consent of the Secretary of Aging. The approval granted by the secretary pursuant to this section may be revoked by the secretary by written notice furnished the local authority one hundred days prior to the beginning of the fiscal year of the local authority.

Section 2206-A. Area Agencies; Powers and Duties.--(a) The area agency shall have the authority to act as an advocate at all levels of government and within the community at large for the interests of older persons within the planning and service area. It shall develop a comprehensive and coordinated system of services for older persons within its planning and service area as the department may prescribe by regulation. The plan shall make provision for:

(1) Information and referral.

(2) Social service case management and casework services including protective placement and services.

(3) Transportation services.

(4) Legal counseling and representation.

(5) In-home services including homemaker, home chore

1 services, and congregate and home delivered meals.

2 (6) Assistance to secure adequate housing and health
3 services.

4 (7) Other services required by Federal law.

5 (b) The area agency shall provide for the establishment of
6 an affiliated network of multi-service centers and neighborhood
7 centers for older persons. Each center shall provide those
8 services required by the department in accordance with
9 regulations adopted by the department.

10 (c) The area agency shall give priority of services to older
11 persons with the greatest needs and least resources. Factors
12 identifying older persons who are entitled to priority are:

13 (1) Functional disability, i.e., severe restriction of
14 ability to carry out daily activities.

15 (2) Aloneness, i.e., living alone in a private apartment or
16 home unaccompanied by a related adult.

17 (3) Advanced age, i.e., seventy-five years of age or above.

18 (4) Low income.

19 (5) Services to minorities in proportion to their numbers
20 consistent with the provisions of the Human Relations Act.

21 (d) In carrying out this section, the area agency shall
22 attempt to, ensure equal employment opportunities to older
23 persons.

24 (e) The area agency may grant to or contract with any public
25 or nonprofit agency for the provisions of social services. The
26 area agency is authorized to use, with their consent, the
27 services, equipment, personnel and facilities of Federal and
28 State agencies, with or without reimbursement, and on a similar
29 basis to cooperate with other public and private agencies, and
30 instrumentalities, in the use of services, equipment and

1 facilities.

2 Section 2207-A. Area Agency Advisory Boards.--(a) In each
3 planning and service area, the local authorities shall appoint
4 an advisory board of at least fifteen members to the area
5 agency. The advisory board shall consist of:

6 (1) A majority of older persons, including an appropriate
7 representation of low income and minority older persons.

8 (2) Representatives of public and private agencies serving
9 older persons.

10 (3) Members of the general public who are concerned with the
11 needs and interests of older persons.

12 (b) One-third of the members shall be appointed for three
13 year terms; one-third shall be appointed for two year terms;
14 one-third shall be appointed for one year terms. All subsequent
15 appointments shall be for terms of three years.

16 (c) Prior to making such appointments the chief elected
17 officials of the local authority will appoint a nominating panel
18 of five persons who will be representatives of the general
19 public including older persons. It will be the function of the
20 panel to nominate no fewer than two persons for each existing
21 vacancy on the advisory board. The chief elected officials of
22 the local authority will appoint advisory board members only
23 from the list of nominees submitted by the panel.

24 Section 2208-A. Area Agency Advisory Board; Powers and
25 Duties.--(a) The area agency advisory board shall have the power
26 and its duty shall be:

27 (1) To hold public hearing on the needs and problems of
28 older persons.

29 (2) To review and evaluate the area agency's aging needs,
30 services, facilities and special problems in relation to the

local health and social service needs and programs.

(3) Upon the occurrence of a vacancy, to recommend to local authorities not less than two persons for the position of administrator. Such persons shall meet the standards of professional skills and experience as the Department of Aging may establish by regulation. The local authority may delegate to the advisory board the power to appoint the administrator.

(4) To develop, together with the administrator, annual area plans.

(5) To make recommendations regarding the program and any other matters relating to services for the aging in the planning and service area.

(6) To act as an advocate and ombudsman for older persons, establishing and maintaining a procedure for hearing complaints and grievances with respect to denial of services or maltreatment.

(7) Area agency administrative funds shall be made available by the area agency to implement this section.

Section 2209-A. Area Agencies; Reports and Plans.--(a) The area agency shall submit to the Department of Aging an annual report describing and evaluating its programs and services within thirty days after the close of the fiscal year.

(b) The area agency shall submit to the department for approval an area plan ninety days prior to the start of the area agency's fiscal year. If the department approves the area plan, or fails to act within sixty days, the area plan shall go into effect at the beginning of the fiscal year. If the department disapproves the area plan, it shall forward the reasons for disapproval to the area agency which shall have twenty days to resubmit an amended area plan. If the department approves the

1 resubmitted area plan, it shall be effective at the beginning of
2 the fiscal year. If the resubmitted area plan is disapproved,
3 the department shall forward its revised area plan for
4 implementation by the area agency at the beginning of the fiscal
5 year.

6 Section 2210-A. Allocation of Resources.--(a) The area
7 agency shall receive a basic allocation of resources, consisting
8 of State and Federal funds, based upon the proportion of low
9 income older persons who reside in the planning and service area
10 in relation to the total number of low income older persons who
11 reside in the Commonwealth of Pennsylvania, except that each
12 area agency is entitled to a minimum allocation of resources as
13 uniformly established by the secretary.

14 (b) The department may allocate additional resources to area
15 agencies based upon the total number of older persons who reside
16 within the planning and service area, the number of older
17 persons institutionalized, the availability of transportation
18 services, the rural-urban distribution of older persons, the
19 need for social and medical services, the amount of funds
20 devoted by county commissioners for older persons and other
21 special circumstances as determined by the commissioner.

22 (c) Funds appropriated to carry out the purposes of this act
23 shall be distributed to the local authorities as grants for
24 services to the aging, if there is an acceptable plan in
25 accordance with section 2209-A.

26 (d) Such funds as are required to carry out the purposes of
27 this act are herein authorized except that local authority
28 financial participation may be required by the department at a
29 rate of not less than five percent and not more than fifteen
30 percent.

1 (e) The Department of Public Welfare and the Department of
2 Aging shall consult with each other concerning the allocation
3 and expenditures of funds received from the Federal Government
4 pursuant to Title XX of the Social Security Act and the Older
5 Americans Act. Funds allocated to the Department of Aging shall
6 be at least equal to the amount allocated in fiscal year 1975-76
7 to programs for the aging or such amount as may be authorized by
8 act of the General Assembly.

9 Section 2211-A. Evaluation.--(a) The Department of Aging
10 shall continually review and evaluate the activities of area
11 agencies and the impact and effectiveness of all programs under
12 this act. The secretary shall seek the views of the council and
13 the advisory boards of area agencies in developing appropriate
14 criteria for evaluations. The department shall ensure that
15 evaluations, including an onsite evaluation, be made annually of
16 all area agency activities and programs. A written report of the
17 findings of the evaluation shall be submitted to the area agency
18 subject to the evaluation and within thirty days shall be
19 available to the public. In all evaluations, the department
20 shall obtain the views of program beneficiaries concerning
21 strengths and weaknesses of the program. Other departments and
22 agencies of the Commonwealth shall make available to the
23 department information necessary for such evaluations. All
24 studies, evaluations, proposals, and data produced or developed
25 by the agency shall become the property of the Commonwealth and
26 be available to the public. A portion of all funds appropriated
27 for aging programs shall be used for evaluations required or
28 authorized by this section. Annually the department shall submit
29 to the Governor and the General Assembly a report on its
30 activities including statistical data reflecting services and

1 activities provided older persons during the preceding fiscal
2 year.

3 Section 2212-A. Demonstration Programs.--In recognition of
4 the need for expanded knowledge and experience concerning the
5 status of older persons in Pennsylvania, the Secretary of Aging
6 shall provide for research and demonstration programs for the
7 purpose of:

8 (1) Studying current living conditions and needs of older
9 persons, with special emphasis on persons with low income,
10 functional disabilities, advanced age and isolated living
11 situations.

12 (2) Studying existing methods and alternatives for providing
13 services, programs and opportunities to older persons.

14 (3) Identifying those factors of particular detriment or
15 benefit to the welfare of older persons.

16 (4) Developing new approaches and alternatives for living
17 arrangements, social services, institutional care, health
18 services, legal representation and the coordination of community
19 services for older persons.

20 Section 2213-A. Older Workers.--The Department of Labor and
21 Industry shall have the power, and its duties shall be:

22 (a) To develop through public employment offices specialized
23 services in counseling and placement programs for older workers,
24 and foster through cooperative effort the development of the
25 facilities of other governmental and private agencies for
26 expanding the opportunities and potentials of aging persons;

27 (b) To develop, in cooperation with the Federal Government,
28 State, local and private agencies, sound programs for the
29 occupational rehabilitation and vocational training of the
30 employed and unemployed among the aging;

1 (c) To conduct research with the view to reducing age
2 barriers in the hire, employment and retention of older workers,
3 including analysis of the nature and scope of the problems
4 confronting aging persons, the compilation of adequate current
5 statistics with respect thereto, and the development of measures
6 for improving the utilization of older workers and their skills;

7 (d) To sponsor in communities of the Commonwealth
8 informational and educational programs to aid in the hire,
9 employment and retention of older workers;

10 (e) To formulate and submit to the Governor measures for
11 eliminating age restrictions in public employment, reducing
12 relative costs incident to the employment of older workers, and
13 developing financial and other incentives in industry for their
14 employment;

15 (f) To recommend to the Governor such specific proposals for
16 legislation as are deemed necessary and proper in such fields as
17 unemployment compensation insurance, education, vocational
18 training and rehabilitation for easing and stimulating the
19 employment of aging workers.

20 Section 8. Section 2328 of the act, amended July 9, 1970
21 (P.L.470, No.161), is amended to read:

22 Section 2328. Powers and Duties of Advisory Committees.--The
23 [Advisory Committee for the Aging, the] Advisory Committee for
24 the Blind, the Advisory Committee for General and Special
25 Hospitals, the Advisory Committee for Children and Youth, the
26 Advisory Committee for Public Assistance and the Advisory
27 Committee for Mental Health and Mental Retardation, shall,
28 concerning matters within their respective special fields of
29 interest, have the power and their duty shall be:

30 (a) To advise the appropriate major program unit of the

1 Department of Public Welfare. This advice shall include, but
2 shall not be limited to, such matters as standards of
3 eligibility, nature and extent of service, amounts of payments
4 to individuals, standards of approval, certification and
5 licensure of institutions and agencies, ways and means of
6 coordinating public and private welfare activities, and such
7 other matters as may, by law, require citizen review or may be
8 referred to the committees by the departmental units advised by
9 them; and the Advisory Committee for Mental Health and Mental
10 Retardation shall also have the power and duty to advise the
11 Governor and the Secretary of Public Welfare with regard to the
12 appointment of the Commissioner of Mental Health.

13 (b) To arrange for and conduct such public hearings as may
14 be required by law or which they deem necessary and advisable,

15 (c) To promote better public understanding of the programs
16 and objectives of the departmental units advised by them, and

17 (d) To make recommendations to the State Board of Public
18 Welfare on matters referred to the committees for consideration
19 and advice, or as may be required to promote the effectiveness
20 of the programs, of the departmental units advised by them.

21 Section 9. The Secretary of Aging shall receive an annual
22 salary, payable in semi-monthly installments of \$35,500.

23 Section 10. All personnel, allocations, appropriations,
24 equipment, files, records, contracts, agreements, obligations,
25 and other materials which are used, employed or expended by the
26 Department of Public Welfare, Department of Transportation,
27 Department of Labor and Industry, and Department of Revenue in
28 connection with the powers, duties or functions exercised under
29 this act by the Department of Aging are hereby transferred to
30 the Department of Aging with the same force and effect as if the

1 appropriations had been made to and said items had been the
2 property of the Department of Aging in the first instance and as
3 if said contracts, agreements and obligations had been incurred
4 or entered into by said Department of Aging.

5 Section 11. All positions in the Department of Aging shall
6 be deemed to be included in the list of positions set forth in
7 section 3(d) of the act of August 5, 1941 (P.L.752, No.286),
8 known as the "Civil Service Act," and the provisions and
9 benefits of the act shall be applicable to the employees of, and
10 positions in, the department. Persons occupying such positions
11 on the day before the effective date of this act shall serve the
12 probationary period authorized by section 603 of the "Civil
13 Service Act," beginning on the effective date of this act.

14 Section 12. (a) Section 601, act of June 13, 1967 (P.L.31,
15 No.21), known as the "Public Welfare Code," is repealed.

16 (b) The act of January 22, 1968 (P.L.42, No. 8), known as
17 the "Pennsylvania Urban Mass Transportation Assistance Law of
18 1967," is repealed in so far as it is inconsistent herewith.

19 (c) The act of March 11, 1971 (P.L.104, No.3), known as the
20 "Senior Citizens Property Tax or Rent Rebate Act," is repealed
21 in so far as it is inconsistent herewith.

22 (d) The act of February 11, 1976 (P.L.14, No.10), known as
23 the "Pennsylvania Rural and Intercity Common Carrier Surface
24 Transportation Assistance Act," is repealed in so far as it is
25 inconsistent herewith.

26 (e) All other acts and parts of acts are repealed in so far
27 as they are inconsistent herewith.

28 Section 13. This act shall take effect January 1, 1979.