

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2934 Session of
2004

INTRODUCED BY MARSICO, DIGIROLAMO, WASHINGTON, BARRAR, BEBKO-
JONES, BELFANTI, BOYD, CRAHALLA, FLEAGLE, GEIST, GOODMAN,
HARHAI, LEDERER, SAINATO, SATHER, TANGRETTI, E. Z. TAYLOR,
TIGUE AND TRUE, OCTOBER 20, 2004

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES,
OCTOBER 20, 2004

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," establishing the Department
21 of Drug and Alcohol Programs; making repeals; and making
22 editorial changes.

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

25 Section 1. Section 201 of the act of April 9, 1929 (P.L.177,
26 No.175), known as The Administrative Code of 1929, amended

1 December 30, 1984 (P.L.1299, No.245) and repealed in part May
2 26, 1988 (P.L.414, No.72), is 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 Drug and Alcohol Programs,
17 Department of Labor and Industry, Department of Aging,
18 Department of Public Welfare, Department of General Services,
19 Department of Revenue, [Department of Commerce, Department of
20 Community Affairs and Department of Environmental Resources]
21 Department of Community and Economic Development, Department of
22 Environmental Protection and Department of Conservation and
23 Natural Resources; and by the following independent
24 administrative boards and commissions: Pennsylvania Game
25 Commission, Pennsylvania Fish and Boat Commission, State Civil
26 Service Commission, Pennsylvania Public Utility Commission and
27 the Pennsylvania Securities Commission.

28 (b) All of the provisions of this act, which apply generally
29 to administrative departments, or generally except to the
30 Department of the Auditor General, the Treasury Department and

1 the Office of Attorney General, shall apply to the Executive
2 Board and to the Pennsylvania State Police.

3 Section 2. Section 202 of the act is amended by adding,
4 before the last paragraph, a new clause to read:

5 Section 202. Departmental Administrative Boards,
6 Commissions, and Offices.--The following boards, commissions,
7 and offices are hereby placed and made departmental
8 administrative boards, commissions, or offices, as the case may
9 be, in the respective administrative departments mentioned in
10 the preceding section, as follows:

11 * * *

12 In the Department of Drug and Alcohol Programs,

13 Bureau of Prevention and Intervention,

14 Bureau of Treatment,

15 Bureau of Administration.

16 All of the foregoing departmental administrative boards and
17 commissions shall be organized or reorganized as provided in
18 this act.

19 Section 3. Section 203 of the act, amended December 3, 1970
20 (P.L.834, No.275), July 22, 1975 (P.L.75, No.45), June 20, 1978
21 (P.L.477, No.70), December 6, 1982 (P.L.774, No.223) and June
22 30, 1988 (P.L.475, No.80) and repealed in part April 29, 1988
23 (P.L.381, No.60) and July 2, 1993 (P.L.439, No.64), is amended
24 to read:

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

28 In the Department of Military Affairs,

29 State Military Reservation Commission,

30 In the Department of Environmental [Resources] Protection,

1 Citizens Advisory Council;
2 In the Department of Health,
3 Advisory Health Board;
4 In the Department of Labor and Industry,
5 Advisory Council on Affairs of the Handicapped,
6 Advisory Board on Problems of Older Workers,
7 Policy, Planning and Evaluation Advisory Committee;
8 In the Department of Public Welfare,
9 State Board of Public Welfare,
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 Section 4. Section 206 of the act, amended December 30, 1984
17 (P.L.1299, No.245), is amended to read:

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

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

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

1 Adjutant General, of the Department of Military Affairs;
2 Insurance Commissioner, of the Insurance Department;
3 Secretary of Banking, of the Department of Banking;
4 Secretary of Agriculture, of the Department of Agriculture;
5 Secretary of Transportation, of the Department of
6 Transportation;
7 Secretary of Health, of the Department of Health;
8 Secretary of Drug and Alcohol Programs, of the
9 Department of Drug and Alcohol Programs;
10 Secretary of Labor and Industry, of the Department of Labor
11 and Industry;
12 Secretary of Aging, of the Department of Aging;
13 Secretary of Public Welfare, of the Department of Public
14 Welfare;
15 Secretary of Revenue, of the Department of Revenue;
16 [Secretary of Commerce, of the Department of Commerce;
17 Secretary of Community Affairs, of the Department of
18 Community Affairs;
19 Secretary of Environmental Resources, of the Department of
20 Environmental Resources;]
21 Secretary of Community and Economic Development, of the
22 Department of Community and Economic Development;
23 Secretary of Environmental Protection, of the Department of
24 Environmental Protection;
25 Secretary of Conservation and Natural Resources, of the
26 Department of Conservation and Natural Resources;
27 Secretary of General Services, of the Department of General
28 Services;
29 Secretary of Corrections, of the Department of Corrections.

30 Section 5. Section 207.1(d)(1) of the act, amended December

1 30, 2002 (P.L.2075, No.231), is amended to read:

2 Section 207.1. Gubernatorial Appointments.--* * *

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

8 (1) The Secretary of Education, the Secretary of the
9 Commonwealth, the Adjutant General, the Insurance Commissioner,
10 the Secretary of Banking, the Secretary of Agriculture, the
11 Secretary of Transportation, the Secretary of Health, the
12 Secretary of Drug and Alcohol Programs, the Commissioner of the
13 State Police, the Secretary of Corrections, the Secretary of
14 Labor and Industry, the Secretary of Aging, the Secretary of
15 Public Welfare, the Secretary of General Services, the Secretary
16 of Revenue, the Secretary of Community and Economic Development,
17 the Secretary of Environmental Protection and the Secretary of
18 Conservation and Natural Resources.

19 * * *

20 Section 6. Section 451(b) of the act, amended July 7, 1989
21 (P.L.241, No.42), is amended to read:

22 Section 451. State Planning Board.--* * *

23 (b) (1) The State Planning Board shall consist of fifteen
24 members to be appointed by the Governor from among the citizens
25 of the State, who during their terms shall hold no other office
26 in the executive branch of State Government to which any salary
27 is attached. In addition to these members, there shall be six ex
28 officio members, the Secretary of Agriculture, the [Secretary of
29 Commerce, the Secretary of Community Affairs, the Secretary of
30 Environmental Resources] Secretary of Community and Economic

1 Development, the Secretary of Environmental Protection, the
2 Secretary of Conservation and Natural Resources, the Secretary
3 of Public Welfare and the Secretary of Transportation. There
4 shall also be two members appointed by, and serve at the
5 pleasure of, the President pro tempore of the Senate, neither of
6 whom shall be members of the same political party, and two
7 members appointed by, and serve at the pleasure of, the Speaker
8 of the House of Representatives, neither of whom shall be
9 members of the same political party. The terms of office of
10 those members appointed by the Governor shall be for four years
11 and until their successors are appointed and have qualified. In
12 case of a vacancy, the Governor shall make an appointment for
13 the unexpired portion of the term. The Governor shall designate
14 the chairman and vice-chairman of the board from among the
15 members of the board, other than the ex officio and legislative
16 members.

17 (2) Thirteen members of the board shall constitute a quorum.

18 (3) The members of the board shall serve without
19 compensation but shall be entitled to receive traveling and
20 other reasonable expenses incurred in the discharge of their
21 duties.

22 (4) The board may, with the approval of the Governor,
23 appoint and fix the compensation of an executive director who
24 shall be technically qualified for the duties of the office and
25 who shall act as secretary of the board and conduct the work of
26 the board under its supervision.

27 * * *

28 Section 7. Section 1209 introductory paragraph and (b) of
29 the act, amended February 1, 1966 (1965 P.L.1849, No.582), are
30 amended to read:

1 Section 1209. Local Government Budget and Financial Reports;
2 Compilation of Statistics.--The Department of Community
3 [Affairs] and Economic Development shall have power and its duty
4 shall be:

5 * * *

6 (b) To furnish to the corporate authorities of each county
7 (except counties of the first class), city of the third class,
8 borough, incorporated town, township suitable blank forms for
9 the making of annual reports of the financial condition of their
10 respective local governments to the department, which forms for
11 financial report purposes shall be placed by said corporate
12 authorities into the hands of the director, controller or
13 auditors who by law are required to make such financial reports
14 to the department. Such annual financial reports shall be
15 prepared in cooperation with aforesaid duly authorized
16 committees of local government officials and shall contain: (1)
17 a statement of the receipts of the unit of local government from
18 all sources and of all accounts and revenue which may be due and
19 uncollected at the close of the fiscal year; (2) a statement of
20 the disbursements for all the governmental activities of the
21 unit of local government during the fiscal year; (3) a detailed
22 statement of the indebtedness of the unit of local government at
23 the close of the fiscal year, the provisions made for the
24 payment thereof, together with the purposes for which it was
25 incurred; (4) a statement of the cost of ownership and operation
26 of each and every public service industry owned, maintained or
27 operated by the unit of local government; (5) such further or
28 more specific information in relation to the cost of any branch
29 of the local government and improvements therein as may be
30 required by the department.

1 In the case of blank forms for financial reports by townships
2 of the second class and counties, the same shall be so arranged
3 that corresponding data and information, required to be reported
4 by said units of local government to the Department of
5 [Highways] Transportation or the Department of Public Welfare,
6 may be used for the information required to be furnished to the
7 Department of Community [Affairs] and Economic Development under
8 this section.

9 * * *

10 Section 8. Section 2203-A(a)(11) and (26) of the act,
11 amended December 15, 1988 (P.L.1244, No.153), are amended to
12 read:

13 Section 2203-A. Powers and Duties in General.--(a) The
14 Department of Aging hereinafter referred to in this article as
15 the department shall, subject to any inconsistent provisions in
16 this act contained, have the power and its duty shall be to:

17 * * *

18 (11) Promote and support programs, studies and policies, in
19 cooperation with the Departments of Labor and Industry,
20 Education, [Commerce] Community and Economic Development, Public
21 Welfare and other agencies, which will enhance the opportunity
22 for continued work, education and training for older persons and
23 for preretirement assistance where appropriate.

24 * * *

25 (26) Review and comment on all rules, regulations,
26 eligibility or payment standards issued by the Departments of
27 Public Welfare, Environmental [Resources, Health] Protection or
28 Labor and Industry relating to the licensure and regulation of
29 nursing homes, hospitals, and other health facilities; medical
30 assistance, supplemental security income; homemaking and home-

1 health care or residential care facilities for older adults.
2 Said rules, regulations and standards shall not take effect
3 until they have been submitted to the department for comment.

4 * * *

5 Section 9. The act is amended by adding an article to read:

6 ARTICLE XXIII-A

7 POWERS AND DUTIES OF THE DEPARTMENT OF DRUG

8 AND ALCOHOL PROGRAMS

9 Section 2301-A. Powers and duties.--The Department of Drug
10 and Alcohol Programs shall have the power, and its duty shall
11 be:

12 (1) To develop and adopt a State plan for the control,
13 prevention, intervention, treatment, rehabilitation,
14 research, education, and training aspects of drug and alcohol
15 abuse and dependence problems. The State plan shall include,
16 but not be limited to, provision for:

17 (i) Coordination of the efforts of all State
18 agencies in the control, prevention, intervention,
19 treatment, rehabilitation, research, education, and
20 training aspects of drug and alcohol abuse and dependence
21 problems so as to avoid duplications and inconsistencies
22 in the efforts of the agencies.

23 (ii) Coordination of all health and rehabilitation
24 efforts to deal with the problem of drug and alcohol
25 abuse and dependence, including, but not limited to,
26 those relating to vocational rehabilitation, manpower
27 development and training, senior citizens, law
28 enforcement assistance, parole and probation systems,
29 jails and prisons, health research facilities, mental
30 retardation facilities and community mental health

1 centers, juvenile delinquency, health professions,
2 educational assistance, hospital and medical facilities,
3 social security, community health services, education
4 professions development, higher education, Commonwealth
5 employees health benefits, economic opportunity,
6 comprehensive health planning, elementary and secondary
7 education, highway safety and the civil service laws.

8 (iii) Encouragement of the formation of local
9 agencies and local coordinating councils, and promotion
10 of cooperation, and coordination among such groups, and
11 encouragement of communication of ideas and
12 recommendations from such groups to the Pennsylvania
13 Advisory Council on Drug and Alcohol Abuse.

14 (iv) Development of model drug and alcohol abuse and
15 dependence control plans for local government, utilizing
16 the concepts incorporated in the State plan. The model
17 plans shall be reviewed on a periodic basis but not less
18 than once a year, and revised to keep them current. They
19 shall specify how all types of community resources and
20 existing Federal and Commonwealth legislation may be
21 utilized.

22 (v) Assistance and consultation to local
23 governments, public and private agencies, institutions,
24 and organizations, and individuals with respect to the
25 prevention and treatment of drug and alcohol abuse and
26 dependence, including coordination of programs among
27 them.

28 (vi) Cooperation with organized medicine to
29 disseminate medical guidelines for the use of drugs and
30 controlled substances in medical practice.

1 (vii) Coordination of research, scientific
2 investigations, experiments, and studies relating to the
3 cause, epidemiology, sociological aspects, toxicology,
4 pharmacology, chemistry, effects on health, dangers to
5 public health, prevention, diagnosis and treatment of
6 drug and alcohol abuse and dependence.

7 (viii) Investigation of methods for the more precise
8 detection and determination of alcohol and controlled
9 substances in urine and blood samples, and by other
10 means, and publication on a current basis of uniform
11 methodology for such detections and determinations.

12 Any information obtained through scientific investigation or
13 research conducted by the department shall be used in ways so
14 that no name or identifying characteristics of any person
15 shall be divulged without the approval of the department and
16 the consent of the person concerned. Persons engaged in
17 research pursuant to this section shall protect the privacy
18 of individuals who are the subject of such research by
19 withholding from all persons not connected with the conduct
20 of such research the names or other identifying
21 characteristics of such individuals. Persons engaged in such
22 research shall protect the privacy of such individuals and
23 may not be compelled in any State, civil, criminal,
24 administrative, legislative, or other proceeding to identify
25 such individuals.

26 (ix) Establishment of training programs for
27 professional and nonprofessional personnel with respect
28 to drug and alcohol abuse and dependence, including the
29 encouragement of such programs by local governments.

30 (x) Development of a model curriculum, including the

1 provision of relevant data and other information, for
2 utilization by elementary and secondary schools for
3 instructing children, and for parent-teachers'
4 associations, adult education centers, private citizen
5 groups, or other State and local sources, for instruction
6 of parents and other adults, about drug and alcohol abuse
7 and dependence.

8 (xi) Preparation of a broad variety of educational,
9 prevention and intervention material for use in all
10 media, to reach all segments of the population, that can
11 be utilized by public and private agencies, institutions,
12 and organizations in educational programs with respect to
13 drug and alcohol abuse and dependence.

14 (xii) Establishment of educational courses,
15 including the provision of relevant data and other
16 information, on the causes and effects of, and treatment
17 for, drug and alcohol abuse and dependence, for law
18 enforcement officials (including prosecuting attorneys,
19 court personnel, the judiciary, probation and parole
20 officers, correctional officers and other law enforcement
21 personnel), welfare, vocational rehabilitation, and other
22 State and local officials who come in contact with drug
23 abuse and dependence problems.

24 (xiii) Recruitment, training, organization and
25 employment of professional and other persons, including
26 former drug and alcohol abusers and dependent persons, to
27 organize and participate in programs of public education.

28 (xiv) Treatment and rehabilitation services for male
29 and female juveniles and adults who are charged with,
30 convicted of, or serving a criminal sentence for any

1 criminal offense under the law of this Commonwealth.

2 Provision of similar services shall be made for juveniles
3 adjudged to be delinquent, dependent or neglected. These
4 services shall include but are not limited to emergency
5 medical services, inpatient services and intermediate
6 care, rehabilitative and outpatient services.

7 The State plan shall give priority to developing community
8 based drug or alcohol abuse treatment services in a
9 cooperative manner among State and local governmental
10 agencies and departments and public and private agencies,
11 institutions and organizations. Consideration shall be given
12 to supportive medical care, services, or residential
13 facilities for drug or alcohol dependent persons for whom
14 treatment has repeatedly failed and for whom recovery is
15 unlikely.

16 The Department of Drug and Alcohol Programs shall develop as
17 part of the State plan and require the establishment of a
18 system of emergency medical services for persons voluntarily
19 seeking treatment, for persons admitted and committed to
20 treatment facilities according to the procedural admission
21 and commitment provisions of the act of July 9, 1976
22 (P.L.817, No.143), known as the Mental Health Procedures Act,
23 and for persons charged with a crime under Pennsylvania law.
24 Upon the establishment of such emergency medical services,
25 the Department of Drug and Alcohol Programs, by regulation,
26 shall require that appropriate emergency medical services be
27 made available to all drug and alcohol abusers who are
28 arrested for a crime under Pennsylvania law.

29 The State plan shall further provide standards for the
30 approval by the relevant State agency for all private and

1 public treatment and rehabilitative facilities, which may
2 include but are not limited to State hospitals and
3 institutions, public and private general hospitals, community
4 mental health centers or their contracting agencies, and
5 public and private drug or alcohol dependence and drug and
6 alcohol abuse and dependence treatment and rehabilitation
7 centers.

8 (xv) Grants and contracts for the prevention,
9 intervention and treatment of drug and alcohol
10 dependence. The grants and contracts may include
11 assistance to local governments and public and private
12 agencies, institutions, and organizations for prevention,
13 intervention, treatment, rehabilitation, research,
14 education and training aspects of the drug and alcohol
15 abuse and dependence problems with the Commonwealth. Any
16 grant made or contract entered into by the Department of
17 Drug and Alcohol Programs shall be pursuant to the
18 functions allocated to it by the State plan.

19 (xvi) Preparation of general regulations for, and
20 operation of, programs supported with assistance.

21 (xvii) Establishment of priorities for deciding
22 allocation of the funds.

23 (xviii) Review the administration and operation of
24 programs, including the effectiveness of such programs in
25 meeting the purposes for which they are established and
26 operated, and make annual reports of its findings.

27 (xix) Evaluate the programs and projects carried out
28 and disseminate the results of such evaluations.

29 (xx) Establish such advisory committees as deemed
30 necessary to assist the department in fulfilling its

1 responsibilities.

2 (2) In developing the State plan initially, and prior to
3 its amendment annually, the Department of Drug and Alcohol
4 Programs shall hold a public hearing at least 30 days prior
5 to the adoption of the initial State plan and subsequent
6 amendments and shall afford thereby all interested persons an
7 opportunity to present their views thereon either orally or
8 in writing. The Department of Drug and Alcohol Programs,
9 through its staff, shall consult and collaborate with
10 appropriate Federal and State and local departments, boards,
11 agencies and governmental units, and with appropriate public
12 and private agencies, institutions, groups and organizations.
13 Otherwise the promulgation of the State plan shall conform to
14 the procedure contained in the Commonwealth Documents Law.

15 (3) The department in accordance with the State plan
16 shall allocate the responsibility for all services, programs
17 and other efforts provided for therein among the appropriate
18 departments, agencies and other State personnel. The
19 department, through its employees, shall have the power and
20 its duty shall be to implement compliance with the provisions
21 of the State plan and to coordinate all such efforts.

22 (4) Gather and publish statistics pertaining to drug and
23 alcohol abuse and dependence and promulgate regulations,
24 specifying uniform statistics to be obtained, records to be
25 maintained and reports to be submitted, by public and private
26 departments, agencies, organizations, practitioners, and
27 other persons with respect to drug and alcohol abuse and
28 dependence, and related problems. Such statistics and reports
29 shall not reveal the identity of any patient or drug or
30 alcohol dependent person or other confidential information.

1 (5) Establish an information center, which will attempt
2 to gather and contain all available published and unpublished
3 data and information on the problems of drug and alcohol
4 abuse and dependence. All Commonwealth departments and
5 agencies shall send any data and information pertinent to the
6 cause, prevention, diagnosis and treatment of drug and
7 alcohol abuse and dependence, and the toxicology,
8 pharmacology, effects on the health of drug and alcohol
9 abusers and danger to the public health of alcohol, drugs and
10 controlled substances, and the Department of Drug and Alcohol
11 Programs shall make such data and information widely
12 available.

13 (6) Require all appropriate State and local departments,
14 agencies, institutions and others engaged in implementing the
15 State plan to submit as often as necessary, but no less often
16 than annually, reports detailing the activities and effects
17 of the efforts of the aforementioned and recommending
18 appropriate amendments to the State plan. The department may
19 direct a performance audit of any activity engaged in
20 pursuant to the State plan.

21 (7) Submit an annual report to the General Assembly
22 which shall specify the actions taken and services provided
23 and funds expended and an evaluation of their effectiveness,
24 and which shall contain the current State plan. The
25 Department of Drug and Alcohol Programs shall submit such
26 additional reports as may be requested by the General
27 Assembly and such recommendations as will further the
28 prevention, treatment, and control of drug and alcohol abuse
29 and dependence.

30 (8) Make provision for facilities in each city or region

1 or catchment area which shall provide information about the
2 total Commonwealth drug and alcohol abuse and drug and
3 alcohol dependency programs and services.

4 Section 10. All personnel, allocation, appropriations,
5 equipment, files, records, contracts, agreements, obligations
6 and other material which are used, employed or expended in
7 connection with the powers, duties or functions of the
8 Department of Health concerning drug or alcohol abuse are hereby
9 transferred to the Department of Drug and Alcohol Programs
10 established by this act with the same force and effect as if the
11 appropriations had been made to and said items had been the
12 property of the Department of Drug and Alcohol Programs in the
13 first instance, and as if said contracts, agreements and
14 obligations had been incurred or entered into by the Department
15 of Drug and Alcohol Programs. The personnel, appropriations,
16 equipment and other items and material transferred by this
17 section shall include Federal grants and funds and other
18 benefits from any Federal program. All personnel transferred
19 pursuant to this act shall retain any civil service employment
20 status assigned to said personnel.

21 Section 11. All positions in the Department of Drug and
22 Alcohol Programs shall be deemed to be "classified service" as
23 defined in section 3(d) of the act of August 5, 1941 (P.L.752,
24 No.286), known as the Civil Service Act, and the provisions and
25 benefits of that act shall be applicable to the employees of,
26 and positions in, the department.

27 Section 12. All orders, permits, regulations, decisions and
28 other actions of the Department of Health or any department,
29 board, commission or agency whose functions have been
30 transferred by this act to the Department of Drug and Alcohol

1 Programs shall remain in full force and effect until modified,
2 repealed, superseded in or otherwise changed by appropriate
3 action of the Department of Drug and Alcohol Programs.

4 Section 13. The Pennsylvania Advisory Council on Drug and
5 Alcohol Abuse established in section 3 of the act of April 14,
6 1972 (P.L.221, No.63), known as the Pennsylvania Drug and
7 Alcohol Abuse Control Act, shall be recognized as the advisory
8 council to the Department of Drug and Alcohol Programs.

9 Section 14. (a) The following acts and parts of acts are
10 repealed to the extent specified:

11 Section 4 of the act of April 14, 1972 (P.L.221, No.63),
12 known as the Pennsylvania Drug and Alcohol Abuse Control Act is
13 repealed absolutely.

14 (b) All other acts and parts of acts are repealed insofar as
15 they are inconsistent with this act.

16 Section 15. This act shall take effect in 60 days.