
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 344 Session of
2007

INTRODUCED BY SIPTROTH, BEYER, BARRAR, BISHOP, BUXTON,
CALTAGIRONE, CARROLL, CREIGHTON, DALEY, DALLY, DONATUCCI,
EVERETT, FABRIZIO, GEIST, GEORGE, GOODMAN, GRUCELA, HARPER,
HARRIS, HUTCHINSON, JAMES, KILLION, KOTIK, KULA, MANN,
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SCAVELLO, SOLOBAY, STABACK, J. TAYLOR, WATSON, WILLIAMS,
WOJNAROSKI, YUDICHAK AND COSTA, FEBRUARY 9, 2007

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, FEBRUARY 9, 2007

AN ACT

1 Amending Title 51 (Military Affairs) of the Pennsylvania
2 Consolidated Statutes, changing the name of the Department of
3 Military and Veterans Affairs; establishing the Department of
4 Veterans Affairs, the bureaus within the department and the
5 State Veterans Commission; providing for the powers and
6 duties of the Department of Veterans Affairs and its bureaus;
7 and making conforming amendments and editorial changes.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 102 of Title 51 of the Pennsylvania
11 Consolidated Statutes is amended to read:

12 § 102. Definitions.

13 Subject to additional definitions contained in subsequent
14 provisions of this title which are applicable to specific
15 provisions of this title, the following words and phrases when
16 used in this title shall have, unless the context clearly
17 indicates otherwise, the meanings given to them in this section:

1 "Armory." Land, buildings and fixtures used for housing
2 elements of the Pennsylvania military forces.

3 "Department." The Department of Military [and Veterans]
4 Affairs of the Commonwealth.

5 "National Defense Act." The act of Congress, entitled "An
6 act for making further and more effectual provisions for the
7 National Defense and for other purposes," approved June 3, 1916,
8 its amendments and supplements.

9 "National Guard of the United States." The Army National
10 Guard of the United States and the Air National Guard of the
11 United States.

12 "Officer." Commissioned or warrant officer.

13 "Order." General or special order, oral or written, whether
14 issued pursuant to State or Federal authority.

15 "Pennsylvania Guard." Those organized units of the
16 Pennsylvania military forces which are not Federally recognized
17 or which serve under the authority of the Governor when the
18 Pennsylvania National Guard, in whole or in part, is on extended
19 Federal active duty.

20 "Pennsylvania military forces." The land, air and sea
21 military units organized for the internal security of this
22 Commonwealth.

23 "Pennsylvania National Guard." The Pennsylvania Army
24 National Guard and the Pennsylvania Air National Guard.

25 Section 2. Sections 701(b), 704, 710(a) and (c) and 902(11),
26 (12) and (14) of Title 51 are amended to read:

27 § 701. Overall powers of department.

28 * * *

29 (b) Designation.--[The Department of Military Affairs is
30 designated as the Department of Military and Veterans Affairs.

1 Contracts, deeds and official actions by the department shall
2 not be affected by the use of the designation by the department
3 as the Department of Military Affairs. The department may
4 continue to use the name Department of Military Affairs on
5 stationery or any official documents until existing supplies are
6 exhausted. The department may substitute the title Department of
7 Military and Veterans Affairs for the Department of Military
8 Affairs on its documents and materials on such schedule as it
9 deems appropriate.] The Department of Military and Veterans
10 Affairs is designated as the Department of Military Affairs.
11 Contracts, deeds and official actions by the department shall
12 not be affected by the use of the designation by the department
13 as the Department of Military and Veterans Affairs. The
14 department may continue to use the name Department of Military
15 and Veterans Affairs on stationery or any official documents
16 until existing supplies are exhausted. The department may
17 substitute the title Department of Military Affairs for the
18 Department of Military and Veterans Affairs on its documents and
19 materials on such schedule as it deems appropriate.

20 [§ 704. Advisory councils for veterans' homes.

21 (a) Establishment of advisory council.--There is hereby
22 established an advisory council for each veterans' home operated
23 by the Commonwealth. Each advisory council shall consist of 15
24 members and the Adjutant General, who shall serve ex officio.
25 Twelve of the members shall be appointed by the Governor from a
26 list of nominations submitted to the Adjutant General by the
27 Pennsylvania War Veterans' Council. The Speaker of the House of
28 Representatives and the President pro tempore of the Senate
29 shall each appoint one member from their respective bodies to
30 serve on each council. The remaining member on the advisory

1 council shall be selected by the residents of the veterans'
2 homes.

3 (b) Term of office and officers.--Each member of the
4 councils appointed from the General Assembly shall serve for the
5 duration of that General Assembly. The eight members appointed
6 by the Governor shall serve a term of three years, provided that
7 the initial eight members selected by the Governor shall serve
8 as follows: three members for one year, three members for two
9 years and two members for three years as designated by the
10 Governor. Each council shall organize as soon as possible and
11 shall annually elect a president, vice president and secretary.

12 (c) Removal for cause.--The members appointed by the
13 Governor may be removed by the Governor for cause.

14 (d) Quorum and time of meetings.--Six members of a council
15 shall constitute a quorum for the purpose of conducting the
16 business of the council. Each advisory council shall meet at
17 least quarterly and at other times at the call of the president.

18 (e) Expenses.--Members of each advisory council shall
19 receive no compensation for their services but shall receive
20 reimbursement for their necessary and proper expenses for
21 attendance at meetings.

22 (f) Power and duty of advisory councils.--Each veterans'
23 home advisory council shall advise the Adjutant General as to
24 the management, operation and the adequacy of facilities and
25 services at their respective homes.]

26 § 710. Pennsylvania Veterans' Memorial Trust Fund.

27 (a) Administration.--The separate fund in the State Treasury
28 known as the Pennsylvania Veterans' Memorial Trust Fund shall be
29 administered by the [State Veterans' Commission] department, and
30 all moneys in the fund are appropriated to the [State Veterans'

1 Commission] department on a continuing basis.

2 * * *

3 (c) Contributions and solicitation of funds.--

4 (1) The [State Veterans' Commission] department is
5 authorized:

6 (i) To accept, on behalf of the Commonwealth, gifts,
7 donations, legacies and usages of money from individuals,
8 organizations, public or private corporations and other
9 similar entities.

10 (ii) To solicit and raise moneys from public and
11 private sources.

12 (2) All money received or raised under this subsection
13 shall be paid into the State Treasury and credited to the
14 fund.

15 § 902. General powers and duties of Adjutant General.

16 The Adjutant General as head of the department is responsible
17 to the Commonwealth and to the Governor for the organization and
18 functioning of said department, and the performance and carrying
19 out of all the duties, powers and responsibilities given or
20 delegated. In addition he is hereby authorized and directed to:

21 * * *

22 [(11) Coordinate with other Commonwealth agencies and
23 departments, and the respective agencies of the Federal
24 Government, all matters relating to veterans' affairs within
25 this Commonwealth.

26 (12) Appoint a Deputy Adjutant General for Veterans'
27 Affairs, who shall serve as the Director of the Bureau for
28 Veterans' Affairs.]

29 * * *

30 [(14) Authorize the admittance of any member of a group

1 which has been granted veterans status by the Secretary of
2 Defense and any spouse of a member to State veterans' homes,
3 using admission criteria and procedures as established by the
4 department by regulation.]

5 Section 3. Chapter 17 of Title 51 is repealed:

6 [CHAPTER 17
7 STATE VETERANS' COMMISSION
8 AND DEPUTY ADJUTANT GENERAL
9 FOR VETERANS' AFFAIRS

10 Subchapter

- 11 A. State Veterans' Commission
12 B. Deputy Adjutant General for Veterans' Affairs

13 SUBCHAPTER A
14 STATE VETERANS' COMMISSION

15 Sec.

- 16 1701. Definitions.
17 1702. State Veterans' Commission.
18 1703. General powers and duties.
19 1704. Specific powers and duties.
20 1705. Veterans' home hall of fame.

21 § 1701. Definitions.

22 The following words and phrases when used in this chapter
23 shall have the meanings given to them in this section unless the
24 context clearly indicates otherwise:

25 "Commission." The State Veterans' Commission established by
26 this chapter.

27 § 1702. State Veterans' Commission.

28 (a) Establishment.--There is hereby established within the

1 department an advisory commission to be known as the State
2 Veterans' Commission.

3 (b) Composition.--The commission shall be composed of:

4 (1) The Adjutant General, ex officio, or his designee.

5 (2) The State commander, commandant or head, or his
6 designee, of each of the following named veterans'
7 organizations:

8 (i) The American Legion.

9 (ii) AMVETS.

10 (iii) Blinded Veterans Association.

11 (iv) Catholic War Veterans of the United States of
12 America.

13 (v) Disabled American Veterans.

14 (vi) Jewish War Veterans of the United States.

15 (vii) Marine Corps League.

16 (viii) Military Order of the Purple Heart.

17 (ix) State Association of County Directors of
18 Veterans' Affairs.

19 (x) Veterans of Foreign Wars of the United States.

20 (xi) Veterans of World War I of the United States of
21 America, Inc.

22 (xii) Italian-American War Veterans of the United
23 States, Inc.

24 (xiii) The Vietnam Veterans of America, Inc.

25 (xiv) American Ex-Prisoners of War.

26 (xv) Keystone Paralyzed Veterans Association.

27 (3) Four members at large appointed by the Governor from
28 a list provided by the Adjutant General, each of whom shall
29 be a veteran and a member in good and regular standing of a
30 Pennsylvania branch, post, lodge or club of a recognized

1 national veterans' organization active in this Commonwealth.
2 At least one member shall be a female veteran, and at least
3 one member shall be a veteran of the Vietnam era. Members at
4 large shall serve a term of four years and until a successor
5 has been appointed.

6 (4) The State Adjutants of the American Legion, the
7 Disabled American Veterans (DAV) and the Veterans of Foreign
8 Wars (VFW) and the Executive Director of AMVETS as nonvoting
9 members.

10 (c) Officers.--The commission shall annually elect a
11 chairman and vice chairman at the first meeting of the
12 commission after October 1. The Deputy Adjutant General for
13 Veterans' Affairs shall serve as the executive secretary to the
14 commission.

15 (d) Compensation and expenses.--Members of the commission
16 shall receive no compensation for their services but shall
17 receive reimbursement for their necessary and proper expenses
18 for attendance at meetings.

19 (e) Meetings and quorum.--The commission shall meet upon the
20 call of the chairman or the Adjutant General. Nine members of
21 the commission shall constitute a quorum.

22 (f) Declared vacancies.--The Governor, upon recommendation
23 of the Adjutant General, shall declare a vacancy to exist
24 whenever any member at large fails to attend three consecutive
25 meetings without good cause. Any declared vacancy shall be
26 filled for the unexpired term.

27 § 1703. General powers and duties.

28 The commission shall advise the Adjutant General and the
29 department on all matters pertaining to the status, welfare,
30 benefits, employment and support of veterans and veterans'

1 programs in this Commonwealth and shall perform such other
2 functions as are provided by law.

3 § 1704. Specific powers and duties.

4 The commission shall have the following powers and duties:

5 (1) Advise the Adjutant General upon such matters as the
6 Adjutant General may bring before it.

7 (2) Investigate the work of the department and make
8 recommendations to it regarding the department's
9 administration of the laws providing for the payment of
10 pensions and relief, for the marking of graves of veterans
11 and for the selection, acquisition and maintenance of a State
12 military cemetery.

13 (3) Investigate and recommend to the Governor
14 legislation for submission to the General Assembly concerning
15 veterans and their activities.

16 (4) Oversee veterans' emergency assistance payments
17 under Chapter 85 (relating to veterans' emergency
18 assistance).

19 (5) Certify educational gratuity payments for eligible
20 children under Chapter 87 (relating to educational gratuity
21 program).

22 (6) Determine eligibility of veteran applicants for real
23 property tax exemptions under Chapter 89 (relating to
24 disabled veterans' real estate tax exemption).

25 (7) Promulgate rules and regulations governing all
26 actions of the commission under paragraphs (4), (5) and (6).

27 § 1705. Veterans' home hall of fame.

28 (a) General rule.--Each veterans' home operated by the
29 Commonwealth shall establish and dedicate a hall of fame to
30 recognize and honor the military achievements of outstanding

1 veterans who have completed honorable, active duty military
2 service and who reside or resided in the geographic region
3 served by the veterans' home. The area or space in the veterans'
4 home dedicated to the hall of fame may be used for other
5 purposes.

6 (b) Selection of inductees.--The advisory council for each
7 veterans' home shall, consistent with the guidelines established
8 by the commission in subsection (c), nominate eligible veterans
9 for induction into the hall of fame by the commission and
10 perform such other duties relating to the hall of fame as
11 approved by the commission. Any Medal of Honor recipient shall
12 be automatically inducted into the hall of fame.

13 (c) Oversight.--The commission shall develop guidelines for
14 the halls of fame. The guidelines shall include, but not be
15 limited to:

16 (1) Eligibility criteria for qualified candidates.

17 (2) Procedures for nomination of candidates and
18 selection of inductees.

19 (3) Ceremonies to officially honor the inductees.

20 (4) Manner of recognizing or presenting the inductees in
21 the halls of fame.

22 (5) Maintenance of the halls of fame.

23 (6) Duties of the advisory councils of the veterans'
24 homes relating to the halls of fame.

25 (d) Documentation.--Each eligible veteran or his or her
26 representative shall be responsible for obtaining the
27 documentation necessary to establish his or her eligibility from
28 the National Archives in Washington, D.C., or the National
29 Personnel Record Center in St. Louis, Missouri.

30 (e) Centralized list.--The State Veterans' Commission shall

1 keep a centralized list of all hall of fame inductees from all
2 regional veterans' homes.

3 SUBCHAPTER B
4 DEPUTY ADJUTANT GENERAL
5 FOR VETERANS' AFFAIRS

6 Sec.

7 1711. Qualifications and status.

8 1712. Specific duties.

9 § 1711. Qualifications and status.

10 (a) Deputy Adjutants General.--In addition to such other
11 Deputy Adjutants General as may be named in the department,
12 there shall be a Deputy Adjutant General for Veterans' Affairs,
13 who shall perform the duties under section 1712 (relating to
14 specific duties) and such other duties as the Adjutant General
15 may assign.

16 (b) Appointment.--The Deputy Adjutant General for Veterans'
17 Affairs shall be selected and appointed as other Deputy
18 Adjutants General are selected and appointed. He shall be a
19 veteran and an active member of at least one of the veterans'
20 organizations listed under section 1702(b) (relating to State
21 Veterans' Commission).

22 (c) Compensation.--The compensation of the Deputy Adjutant
23 General for Veterans' Affairs shall be as established by law.

24 (d) Status.--The Deputy Adjutant General for Veterans'
25 Affairs shall be accorded all the rights, emoluments and
26 privileges, except pay and allowances, of a brigadier general in
27 the Pennsylvania Guard and shall be addressed as "General."

28 § 1712. Specific duties.

29 In addition to such other duties as may be provided by law or
30 as assigned by the Adjutant General, the Deputy Adjutant General

1 for Veterans' Affairs shall have the following specific duties:

2 (1) To recommend to the Adjutant General and the
3 Governor, with the advice of the State Veterans' Commission,
4 new legislation and amendments to existing statutes
5 concerning veterans and their activities for consideration by
6 the General Assembly.

7 (2) To cooperate with all Federal and State departments
8 and agencies in the interest of veterans.

9 (3) To aid in filing and prosecuting claims of
10 Pennsylvania's veterans and their dependents under Federal or
11 State laws or regulations.

12 (4) To aid veterans in seeking employment or
13 reemployment after their honorable discharge from the armed
14 forces of the United States.

15 (5) To aid veterans requiring medical care in securing
16 hospitalization provided by a Federal or State medical or
17 care facility.

18 (6) To aid in the rehabilitation of injured, wounded or
19 compensable veterans in educational institutions or
20 vocational training institutions for which they may be
21 eligible by law.

22 (7) To cooperate with and advise the Department of
23 Education with respect to vocational training programs for
24 veterans, particularly programs suited to casualties.

25 (8) To administer relief provided by the Commonwealth
26 for veterans and their dependents.

27 (9) To administer the distribution under the direction
28 of the Adjutant General of any compensation to veterans or
29 their dependents that has been or may be granted by the
30 Commonwealth.

1 (10) To investigate the work of other State agencies in
2 administering laws affecting veterans and their dependents.

3 (11) To investigate, compile and maintain complete and
4 accurate data concerning veterans of the armed forces of the
5 United States and all State and municipal activities related
6 thereto.

7 (12) To compile from the records transmitted from the
8 various counties of this Commonwealth a record of the burial
9 places in this Commonwealth of deceased veterans, including
10 such information as the Deputy Adjutant General for Veterans'
11 Affairs or his designee deems necessary and appropriate.

12 (13) To disseminate information concerning
13 Pennsylvania's veterans and Pennsylvania's veterans' programs
14 to veterans' organizations, to the public press and other
15 media and to the general public.

16 (14) To biannually submit, through the Adjutant General,
17 to the Governor a report of State activities on behalf of
18 veterans.

19 (15) To serve as a clearinghouse for all problems or
20 issues related to Pennsylvania's veterans and their
21 dependents.

22 (16) To serve as Executive Secretary of the State
23 Veterans' Commission.]

24 Section 4. Title 51 is amended by adding chapters to read:

25 CHAPTER 18

26 DEPARTMENT OF VETERANS AFFAIRS

27 Sec.

28 1801. Definitions.

29 1802. Establishment.

30 1803. Purpose.

- 1 1804. General powers and duties.
- 2 1805. Additional powers and duties.
- 3 1806. Secretary of Veterans Affairs.
- 4 1807. Organization.
- 5 1808. Delegation of authority.
- 6 1809. Commissions, councils and boards.
- 7 1810. Bureau of Veterans Benefits Assistance.
- 8 1811. Local governing bodies.
- 9 1812. County and city veterans service officer.
- 10 1813. Cooperation and joint employment.
- 11 1814. Bureau of State Veterans Homes.
- 12 1815. State Veterans Commission.
- 13 1816. Veterans Organizations Advisory Council.
- 14 1817. Advisory councils for State veterans homes.
- 15 1818. Prohibitions.
- 16 1819. Confidentiality of records.
- 17 1820. Technology services.
- 18 1821. Reports.
- 19 1822. Cost-reduction measures and acceptance of gifts.
- 20 1823. Interagency agreements.
- 21 1824. Conflict of interest.
- 22 1825. Information of public interest and public complaints.
- 23 1826. Liberal construction.
- 24 1827. Conflict between statutes and within the statute.
- 25 1828. Severability.
- 26 § 1801. Definitions.

27 The following words and phrases when used in this chapter
28 shall have the meanings given to them in this section unless the
29 context clearly indicates otherwise:

30 "Commission." The State Veterans Commission established

1 under this chapter.

2 "Commissioners." Members of the State Veterans Commission.

3 "Department." The Department of Veterans Affairs of the
4 Commonwealth established under this chapter.

5 "Secretary." The Secretary of Veterans Affairs of the
6 Commonwealth.

7 "Veteran." A person who may be entitled to any benefits or
8 rights under the laws of the United States and this Commonwealth
9 by reason of service in the armed forces of the United States.

10 "Veterans organization." Any organization of veterans which
11 has been chartered by an act of the Congress of the United
12 States and which is legally constituted and operating in this
13 State pursuant to that charter.

14 "Veterans service officer." A State, county or city employee
15 qualified under this chapter to provide benefits counseling and
16 claims services.

17 § 1802. Establishment.

18 The Department of Veterans Affairs is established as an
19 administrative department within the executive branch of the
20 Commonwealth and is vested with the power and authority as set
21 forth in this chapter.

22 § 1803. Purpose.

23 The purpose of the department is to actively aid veterans,
24 their dependents, surviving dependents and beneficiaries in
25 obtaining or maintaining privileges, rights and benefits to
26 which they are entitled under Federal and State laws.

27 § 1804. General powers and duties.

28 The department is authorized and empowered to do all of the
29 following:

30 (1) To aid veterans, their dependents, surviving

1 dependents and beneficiaries in the presentation, processing,
2 proof and establishment of any claims, privileges, rights and
3 benefits as they may be entitled to under Federal or State
4 laws. The department has the authority to accept power of
5 attorney when necessary.

6 (2) To aid Commonwealth residents in active military
7 service and their dependents with problems arising out of the
8 service which come reasonably within the purview of the
9 department's program of assistance.

10 (3) To collect data and information as to the facilities
11 and services available to veterans, their dependents,
12 surviving dependents and beneficiaries.

13 (4) To inform agencies furnishing information or
14 services in this Commonwealth regarding the availability of
15 all of the following:

16 (i) Education, training and retraining facilities.

17 (ii) Health, medical, rehabilitative and housing
18 services and facilities.

19 (iii) Employment and reemployment services.

20 (iv) Provisions of Federal and State laws affording
21 rights, privileges and benefits to veterans and their
22 dependents, surviving dependents and beneficiaries.

23 (v) Any other matter of a related or appropriate
24 nature.

25 (5) To establish field offices, facilities and services
26 throughout this Commonwealth as may be necessary to carry out
27 the purposes of this chapter.

28 (6) To cooperate, as the department deems appropriate,
29 with governmental, private and civic agencies and
30 instrumentalities in securing services or benefits for

1 veterans, their dependents, surviving dependents and
2 beneficiaries.

3 (7) To enter into any contract or agreement with any
4 person, firm, corporation or governmental agency or
5 instrumentality in furtherance of the purposes of this
6 chapter and to make all rules and regulations necessary for
7 the proper and effective administration of its duties. The
8 department shall have the authority and responsibility to
9 apply for and administer any Federal programs and develop and
10 coordinate State programs as may be beneficial to the
11 particular interests of the veterans of this Commonwealth.

12 (8) To train, supervise and assist the employees of any
13 county or city who are engaged in veterans claims service,
14 benefits counseling and awareness programs. The services and
15 programs shall be operated in affiliation with and under the
16 supervision of the department.

17 (9) To accept any property, funds, services or
18 facilities from any source, public or private, granted in aid
19 or furtherance of the administration of the provisions of
20 this chapter.

21 (10) To perform other duties in connection with veterans
22 that may be referred to the secretary by the Governor and
23 other departments or agencies of the Commonwealth and to be a
24 clearinghouse and investigative body for all problems related
25 to Pennsylvania veterans, their dependents, surviving
26 dependents and beneficiaries.

27 § 1805. Additional powers and duties.

28 The department shall have the following powers and duties in
29 addition to the powers and duties prescribed under section 1804
30 (relating to general powers and duties):

1 (1) To administer the laws providing for any of the
2 following:

3 (i) The programs for veterans' pensions and benefits
4 under Chapter 77 (relating to veterans' pensions and
5 benefits).

6 (ii) The Veterans' Emergency Assistance Program
7 established under Chapter 85 (relating to veterans'
8 emergency assistance).

9 (iii) The Educational Gratuity Program established
10 under Chapter 87 (relating to Educational Gratuity
11 Program).

12 (iv) The program for disabled veterans' real estate
13 tax exemption under Chapter 89 (relating to disabled
14 veterans' real estate tax exemption).

15 (v) Any relief programs provided by the Commonwealth
16 for veterans, their dependents, surviving dependents and
17 beneficiaries.

18 (vi) The distribution of any compensation to
19 veterans, their dependents, surviving dependents and
20 beneficiaries that has been or may be granted by the
21 Commonwealth.

22 (vii) State veterans homes program.

23 (viii) The Scotland School for Veterans' Children.

24 (ix) The Pennsylvania Veterans' Memorial Trust Fund.

25 (2) To recommend to the Governor new legislation and
26 amendments to existing statutes concerning veterans and their
27 activities for submission to the General Assembly.

28 (3) To aid in securing hospitalization for any veteran
29 requiring medical care that may be provided by a Federal or
30 State mental, medical or surgical facility specifically

1 provided for veterans or in any other public hospital.

2 (4) To cooperate with and advise the Department of
3 Education on vocational training programs and other veterans
4 educational programs, particularly programs focused on severe
5 service-connected disabilities, for either day or evening
6 instruction, or both.

7 (5) To investigate the work of other departments of the
8 Commonwealth administering laws affecting veterans, their
9 dependents, dependent survivors and beneficiaries.

10 (6) To investigate, compile and maintain complete and
11 accurate data concerning veterans of the armed forces of the
12 United States and all related Commonwealth and municipal
13 activities.

14 (7) To establish an information center for all veterans,
15 their dependents, surviving dependents and beneficiaries and
16 to disseminate regularly to departments, regions, districts,
17 chapters, camps and posts, as appropriate, of veterans
18 organizations throughout this Commonwealth, information as
19 the secretary shall determine, and to transmit to the public
20 press and other media of public information, information
21 relative to veterans as may be of public interest.

22 (8) To submit annually to the Governor a performance and
23 accountability report of State activities on behalf of
24 veterans.

25 (9) To appoint an executive secretary to the State
26 Veterans Commission.

27 (10) To submit for accreditation to the United States
28 Department of Veterans Affairs in accordance with 38 CFR
29 (relating to pensions, bonuses, and veterans' relief) all
30 State, county and city employees performing the duties of

1 veterans service officers and to ensure that they are
2 annually recertified.

3 (11) To enter into agreements with veterans service
4 organizations for the purpose of obtaining dual accreditation
5 for State, county and city veterans service officers.

6 (12) To specify to the counties and cities those
7 reports, accountings and other information it may require.

8 (13) To implement a networked computer system and
9 management information system for the automated submission,
10 reviewing and tracking of claims and for the purposes of
11 assisting in the annual performance evaluation of the
12 department.

13 (14) To develop and implement departmental performance
14 management measurement standards.

15 (15) To act as a fiduciary. The secretary shall act
16 without bond as conservator of the estate of a beneficiary of
17 the veterans administration when the secretary determines no
18 other suitable person will do so.

19 § 1806. Secretary of Veterans Affairs.

20 (a) Department head.--The executive head and appointing
21 authority of the department shall be the Secretary of Veterans
22 Affairs. The secretary shall serve at the pleasure of the
23 Governor.

24 (b) Appointment.--The Governor shall nominate in accordance
25 with the provisions of the Constitution of Pennsylvania and, by
26 and with the advice and consent of a majority of the members
27 elected to the Senate, appoint a Secretary of Veterans Affairs.

28 (c) Qualifications.--The secretary shall be an honorably
29 discharged veteran of the armed forces of the United States and
30 a United States citizen with proven managerial experience and

1 success.

2 (d) Salary.--The secretary shall be paid a fixed salary by
3 the Governor in accordance with the standards established by the
4 Executive Board.

5 (e) Vacancy and succession.--If a vacancy occurs in the
6 position of secretary while the Senate is not in session, the
7 Governor shall make a temporary appointment until the next
8 meeting of the Senate, when the Governor shall present the
9 nomination for the office to that body in accordance with the
10 provisions of the Constitution of Pennsylvania.

11 (f) General powers and duties.--The secretary shall have all
12 of the following powers and duties:

13 (1) To conduct, control and supervise the department.

14 (2) To appoint and employ and to determine the powers
15 and duties together with the salaries and other expenses of
16 clerical and other personnel as are necessary to carry out
17 the duties of the department.

18 (3) To perform all other matters and things necessary to
19 carry out the provisions of this chapter.

20 (4) To develop a system of annual performance evaluation
21 based on qualitatively and quantitatively measurable job
22 tasks.

23 (5) To cooperate fully with the commission in matters
24 related to the duties of the commission and to endeavor to
25 implement the recommendations of the commission.

26 § 1807. Organization.

27 (a) Staff.--The secretary may appoint assistants and
28 executive staff as may be needed to administer the department.
29 All appointees made under this subsection shall be veterans and
30 shall serve at the pleasure of the secretary.

1 (b) Deputy secretary.--The secretary shall designate a
2 deputy secretary from the executive staff who shall have charge
3 and general supervision of the department in the absence or
4 disability of the secretary. In case of a vacancy in the office
5 of secretary, the deputy secretary shall continue in charge of
6 the department until a successor is appointed and qualified or
7 until the Governor appoints a temporary acting secretary.

8 (c) Exemption.--Management level employees of the department
9 are exempted from the provisions of the act of August 5, 1941
10 (P.L.752, No.286), known as the Civil Service Act. For purposes
11 of this subsection, the term "management level employee" means
12 any individual who is involved directly in the determination of
13 policy or who responsibly directs the implementation of policy
14 and includes all employees above the first level of supervision.
15 All other employees of the department shall be subject to the
16 provisions of the Civil Service Act.

17 (d) Preference.--Unless otherwise provided by law, the
18 secretary shall give preference to veterans for positions in the
19 department.

20 (e) Special instructions.--While it is the intention of the
21 General Assembly to give the secretary flexibility in organizing
22 the department, the secretary shall perform all of the
23 following:

24 (1) The secretary shall create the Bureau of Veterans
25 Benefits Assistance and the Bureau of State Veterans Homes to
26 provide field services. Each bureau shall be administered by
27 a director.

28 (2) In addition to the functions administered by the
29 bureaus established in paragraph (1), the secretary shall
30 ensure the department has the following minimum functional

1 capabilities, which may be obtained through hired employees,
2 contract operations or interagency agreements as the
3 secretary deems best suited to fulfill needs as follows:

4 (i) Information and research capability to
5 disseminate information and statistical analysis of
6 pertinent data, inclusive of management analysis and
7 program development requirements.

8 (ii) Personnel management capability for human
9 resource needs.

10 (iii) Fiscal management capability.

11 (iv) Purchasing capability for all purchasing and
12 reproduction needs.

13 (v) Administrative and automated data processing
14 (ADP) support.

15 (vi) Staff development capability to provide
16 professional education to employees and county and city
17 veterans service officers.

18 (vii) Legal expertise on veterans' matters.

19 (viii) Legislative affairs capability to represent
20 the department on all matters involving legislation at
21 Federal and State levels.

22 (ix) Inspection capability to investigate and report
23 on organizational matters and to audit the performance of
24 the department in its various functional areas.

25 § 1808. Delegation of authority.

26 The secretary may delegate any power or duty vested in or
27 transferred to the secretary by law or executive order to the
28 deputy secretary or to any other assistant or subordinate, but
29 the secretary shall be responsible for the official acts of the
30 officers and employees of the department.

1 § 1809. Commissions, councils and boards.

2 The secretary shall recognize and support the following
3 commissions, councils and boards:

4 (1) The State Veterans Commission.

5 (2) The Veterans Organizations Advisory Council.

6 (3) The State veterans homes advisory councils.

7 (4) The Board of Trustees of the Scotland School for
8 Veterans' Children.

9 § 1810. Bureau of Veterans Benefits Assistance.

10 (a) Establishment.--The Bureau of Veterans Benefits
11 Assistance is established as a bureau within the department.

12 (b) Director.--The Director of Veterans Benefits Assistance
13 shall have supervisory authority over the Bureau of Veterans
14 Benefits Assistance. The secretary shall appoint and may remove
15 the director for just cause.

16 (c) Powers and duties.--

17 (1) The Bureau of Veterans Benefits Assistance shall
18 have the power and duty to aid members of the armed forces of
19 the United States and veterans, who are residents of this
20 State, and their dependents, surviving dependents and
21 beneficiaries in relation to matters pertaining to all of the
22 following:

23 (i) Educational training and retraining services and
24 facilities.

25 (ii) Health, medical and rehabilitation services and
26 facilities.

27 (iii) Provisions of Federal and State laws affording
28 special rights and privileges to members of the armed
29 forces and veterans and their dependents, dependent
30 survivors and beneficiaries.

1 (iv) Employment and reemployment services.

2 (v) Other matters of similar, related or appropriate
3 nature.

4 (2) The Bureau of Veterans Benefits Assistance shall
5 supervise the county and city veterans service officers
6 during the performance of their duties involving submission,
7 follow-up and reconsiderations of claims for benefits and
8 services filed on behalf of veterans, benefits counseling and
9 benefits awareness programs. The supervision shall not
10 include duties and tasks performed by the county and city
11 veterans service officers which pertain solely to local
12 activities or are required pursuant to other State laws. The
13 Bureau of Veterans Benefits Assistance shall be responsible
14 for veterans service officer training under section 1812
15 (relating to county and city veterans service officer).

16 (3) The Bureau of Veterans Benefits Assistance shall
17 have the capability of representing veterans before the Board
18 of Veterans Appeals and the Court of Veterans Appeals.

19 (4) The Bureau of Veterans Benefits Assistance shall
20 perform any other duties as may be assigned by the secretary.

21 (d) Field offices.--With the approval of the secretary, the
22 director of the Bureau of Veterans Benefits Assistance may do
23 any of the following:

24 (1) Establish, alter or abolish bureau districts within
25 this Commonwealth and establish, alter or abolish any
26 subordinate State field offices within the districts.

27 (2) Appoint and remove a supervisor for a district or
28 office.

29 (3) Appoint officers, consultants, clerks and other
30 employees as may be necessary to administer the functions of

1 the Bureau of Veterans Benefits Assistance, fix their
2 compensation within the limitation provided by law and
3 prescribe their duties.

4 (e) Qualifications for State veterans service officers.--A
5 State veterans service officer shall meet all of the following
6 qualifications:

7 (1) Be a United States citizen.

8 (2) Be a veteran who served at least 18 months of active
9 duty in the armed forces of the United States and was
10 separated from the service under honorable conditions. An
11 honorably discharged veteran who was discharged for service-
12 connected or aggravated medical reasons before serving 18
13 months of active duty and who completed a tour of duty other
14 than active duty for training, regardless of the length of
15 the tour, or who satisfied his or her military obligation in
16 a manner other than active duty for training or reserve duty
17 shall be eligible under this paragraph.

18 (3) Have at least a high school degree or equivalency
19 diploma.

20 (4) Have at least four years of successful
21 administrative or managerial experience or several years of
22 successful veterans service officer experience.

23 (5) Be accredited in accordance with 38 CFR 14.629
24 (relating to requirements for accreditation of service
25 organization representatives; agents; and attorneys).

26 (f) Training of State veterans service officers.--

27 (1) State veterans service officers must be accredited
28 and annually recertified in accordance with the requirements
29 of this chapter.

30 (2) State veterans service officers shall serve an

1 internship of 18 months under the direct supervision of an
2 experienced and accredited State veterans service officer.
3 The department shall sponsor an intern before the United
4 States Department of Veterans Affairs for their accreditation
5 in accordance with 38 CFR (relating to pensions, bonuses, and
6 veterans' relief) if the intern provides satisfactory proof
7 of all of the following:

8 (i) Successful completion of the internship.

9 (ii) Procurement of a letter of recommendation from
10 the supervising State veterans service officer.

11 (iii) Achievement of a score of 80 or higher on a
12 State-developed test approved by the United States
13 Department of Veterans Affairs.

14 (3) The Bureau of Veterans Benefits shall establish a
15 periodic refresher, update and advanced training program
16 which State veterans service officers must attend and
17 successfully pass as a condition of continued employment.

18 § 1811. Local governing bodies.

19 Notwithstanding any other law, the governing body of a county
20 shall and the governing body of a city may aid and assist,
21 wherever practical and feasible, a veteran who has served in the
22 armed forces of the United States and received an honorable
23 discharge from any branch of the military service of the United
24 States, and their dependents, in presenting claims for and
25 securing compensation, hospitalization, education, loans, career
26 training and other benefits or privileges to which the veteran
27 or the veteran's dependents are or may become entitled under any
28 Federal or State law by reason of their service in the armed
29 forces of the United States.

30 § 1812. County and city veterans service officer.

1 (a) General requirement.--

2 (1) The governing body of a county shall do all of the
3 following:

4 (i) Employ a county veterans service officer.

5 (ii) Provide office space, clerical assistance and
6 the necessary supplies incidental to providing and
7 maintaining a county service office.

8 (iii) Pay any necessary expenses and salaries.

9 (2) The governing body of a city may do any of the
10 following:

11 (i) Employ a city veterans service officer.

12 (ii) Provide office space, clerical assistance and
13 the necessary supplies incidental to providing and
14 maintaining a city service office.

15 (iii) Pay any necessary expenses and salaries.

16 (b) Qualifications.--In order to be employed as a county or
17 city veterans service officer, a person must do all of the
18 following:

19 (1) Meet the qualifications of a State veterans service
20 officer under section 1810(e) (relating to Bureau of Veterans
21 Benefits Assistance).

22 (2) Be approved by the department under subsection (c).

23 (c) Approval required.--Any county or city desiring to
24 employ a county or city veteran service officer under this
25 section shall notify the department of its intention and shall
26 furnish the department with the name of any person applying,
27 along with documentation supporting the person's qualifications.
28 The department, upon receipt, shall certify to the county or
29 city the name of candidates for the position who meet the
30 requirements and qualifications prescribed by the department.

1 The county or city may employ any person certified by the
2 department. Duties, compensation and terms of employment shall
3 be prescribed by the appropriate governing body.

4 (d) Subject to department rules.--Any person employed by any
5 county or city under this section shall be subject to
6 regulations promulgated by the department. County and city
7 veterans service officers who are not performing up to the
8 standards of the department shall have their accreditation
9 revoked and shall be recommended to the appropriate governing
10 body for removal.

11 (e) Training, accreditation and reimbursement.--The
12 department is directed to establish a training program for
13 county and city veterans service officers. Every county or city
14 veterans service officer employed under this section shall
15 attend the training program established by the department and
16 successfully complete a State-developed test approved by the
17 United States Department of Veterans Affairs and administered by
18 the department prior to assuming any responsibilities as a
19 county or city veterans service officer. The department shall do
20 all of the following:

21 (1) Sponsor the individual before the United States
22 Department of Veterans Affairs for their accreditation in
23 accordance with 38 CFR (relating to pensions, bonuses, and
24 veterans' relief).

25 (2) Recertify a qualified individual annually.

26 (3) Establish a periodic refresher, update and advanced
27 training program which each county or city veterans service
28 officer must attend and successfully complete as a condition
29 of remaining in employment as a county or city veterans
30 service officer.

1 (4) Reimburse county and city veterans service officers
2 for travel expenses incurred while fulfilling the
3 requirements of this section.

4 (f) Current veterans service officers.--County or city
5 veterans service officers employed prior to the effective date
6 of this subsection shall be exempted from the provisions of
7 subsection (b)(2) and section 1810(e)(2), (3) and (4). County or
8 city veterans service officers who are not accredited on the
9 effective date of this subsection shall, in order to continue
10 employment as a county or city veterans service officer, become
11 accredited within 12 months of the effective date of this
12 subsection.

13 § 1813. Cooperation and joint employment.

14 The governing body of a county and of a city in this
15 Commonwealth may, by majority vote of the full governing bodies,
16 enter into agreements to do any of the following to carry out
17 the purposes of this chapter:

18 (1) Work jointly with any contiguous county or
19 contiguous city within the county.

20 (2) Employ jointly a veterans service officer.

21 § 1814. Bureau of State Veterans Homes.

22 (a) Establishment.--The Bureau of State Veterans Homes is
23 established as a bureau within the department.

24 (b) Powers and duties of the Bureau of State Veterans
25 Homes.--The Bureau of State Veterans Homes shall have the
26 following powers and duties:

27 (1) To make recommendations to the secretary regarding
28 the maintenance and operation of State veterans homes and the
29 Scotland School for Veterans' Children.

30 (2) To operate State veterans homes and the Scotland

1 School for Veterans' Children.

2 (3) To accept gifts, grants or payments for the use of
3 each State veterans home and the Scotland School for
4 Veterans' Children.

5 (4) To establish a schedule of fees to be charged to
6 residents of the State veterans homes. The fees shall be
7 based on the level of service or care required and the
8 ability of the resident to pay. The department shall
9 establish the level of service to be provided in accordance
10 with the Federal Department of Veterans Affairs standards of
11 nursing and domiciliary care.

12 (5) To perform any other duties assigned by the
13 secretary.

14 (c) Commandant.--The Commandant of State Veterans Homes
15 shall have supervisory authority over the Bureau of State
16 Veterans Homes. The secretary shall appoint and may remove the
17 commandant for just cause. The commandant shall have the
18 following powers and duties:

19 (1) To appoint, with the approval of the secretary, a
20 director qualified and licensed in this Commonwealth as a
21 nursing home administrator to administer each State veterans
22 home.

23 (2) To appoint, with the approval of the secretary, a
24 person to be Superintendent of the Scotland School for
25 Veterans' Children.

26 (3) To approve the appointment of officers and employees
27 by the State Veterans' Homes Commandant and the
28 Superintendent of the Scotland School for Veterans' Children.

29 § 1815. State Veterans Commission.

30 (a) Establishment.--There is established and assigned to the

1 department an advisory commission to the Governor and secretary
2 to be known as the State Veterans Commission. The commission
3 shall not be subject to control, supervision or direction by the
4 department.

5 (b) Composition.--

6 (1) The commission shall be composed of all of the
7 following:

8 (i) Fifteen members appointed by the Governor
9 pursuant to paragraph (4) and as recommended by the
10 Veterans Organizations Advisory Council through the
11 secretary pursuant to paragraph (5).

12 (ii) Four at-large members appointed by the Governor
13 pursuant to paragraph (4) and as recommended to the
14 Governor as follows:

15 (A) One recommended by the President pro tempore
16 of the Senate.

17 (B) One recommended by the Minority Leader of
18 the Senate.

19 (C) One recommended by the Speaker of the House
20 of Representatives.

21 (D) One recommended by the Minority Leader of
22 the House of Representatives.

23 (iii) The following members as nonvoting, ex officio
24 members:

25 (A) The Adjutant General.

26 (B) The Secretary of Labor and Industry.

27 (C) The President of the Pennsylvania State
28 Association of County Directors of Veterans Affairs.

29 (iv) Any member appointed pursuant to paragraph (2)
30 or (3).

1 (2) The Secretary of Veterans Affairs may appoint the
2 head of a State agency or a designee as an ex officio member.

3 (3) The Governor may appoint additional members as
4 recommended by an individual or organization, including the
5 Veterans Organizations Advisory Council. Organizational
6 affiliation shall not be a prerequisite for recommendation or
7 appointment.

8 (4) In making appointments, care shall be taken to
9 ensure that the members represent all of the following:

10 (i) All geographical portions of this Commonwealth.

11 (ii) All periods of service which have living
12 veterans.

13 (iii) Issues and concerns of female and minority
14 veterans.

15 (5) (i) Except as provided in subparagraph (ii), the
16 Veterans Organizations Advisory Council shall initially
17 recommend the following number of qualified veterans from
18 each of the following veterans organizations for
19 appointment pursuant to paragraph (1):

20 (A) The American Legion - two members.

21 (B) Veterans of Foreign Wars of the United
22 States - two members.

23 (C) AMVETS - one member.

24 (D) Disabled American Veterans - one member.

25 (E) Marine Corps League - one member.

26 (F) Military Order of the Purple Heart - one
27 member.

28 (G) The Vietnam Veterans of America, Inc. - one
29 member.

30 (H) Blinded Veterans Association - one member.

1 (I) Keystone Paralyzed Veterans Association -
2 one member.

3 (J) Jewish War Veterans of the United States -
4 one member.

5 (K) Catholic War Veterans of the United States
6 of America - one member.

7 (L) Italian-American War Veterans of the United
8 States, Inc. - one member.

9 (M) American Ex-Prisoners of War - one member.

10 (ii) The Veterans Organizations Advisory Council
11 may, with the approval of the secretary, recommend
12 qualified veterans based on a different allocation scheme
13 than that specified in subparagraph (i). The Veterans
14 Organizations Advisory Council shall provide to the
15 secretary on July 1 of each year a listing of member
16 organizations, the number of their members and its
17 recommended allocation scheme.

18 (6) The secretary and the Veterans Organizations
19 Advisory Council shall monitor the commission to ensure that
20 the composition and qualification requirements of this
21 section are met.

22 (c) Terms.--The commissioners shall serve for terms of three
23 years each and, to ensure continuity, terms shall be staggered
24 so that not more than a third of the members' terms expire each
25 year. The staggering scheme shall be implemented by executive
26 order. The entities making recommendations under subsection
27 (b)(1)(i) and (ii) shall recommend replacements for their
28 respective commissioners at least six months prior to the
29 completion of the commissioner's appointment. Commissioners
30 shall be eligible for reappointment. Each member of the

1 commission shall take an oath of office that the member will, so
2 far as it devolves upon the member, diligently and honestly
3 administer the affairs of the commission and that the member
4 will not knowingly violate or willfully permit to be violated
5 any of the provisions of law applicable to this chapter. The
6 oath shall be subscribed by the individual taking it and
7 certified by the officer before whom it is taken and shall be
8 immediately filed in the Office of the Secretary of the
9 Commonwealth.

10 (d) Qualifications.--A commissioner must meet all of the
11 following qualifications:

12 (1) Be a veteran who has been separated from the armed
13 forces of the United States under honorable conditions.

14 (2) Be a United States citizen.

15 (3) Be a legal resident of this Commonwealth.

16 (e) Officers.--One of the members of the commission shall be
17 designated as chairperson by the Governor. The designation shall
18 be in writing and shall be filed with the commission. The
19 commission shall designate its vice chairperson. The secretary
20 shall provide an executive secretary.

21 (f) Meetings and quorums.--The commission shall meet at
22 least four times annually at any place within this Commonwealth
23 upon the call of the chairperson. Fifty percent of the voting
24 members of the commission, plus one additional voting member,
25 shall constitute a quorum.

26 (g) Removal.--The Governor may suspend a member of the
27 commission only for cause. Upon the recommendation of the
28 secretary, the Governor shall declare a vacancy whenever a
29 commissioner fails to attend three consecutive meetings without
30 good cause.

1 (h) Vacancies.--A vacancy shall be filled for the remainder
2 of the unexpired term in the same manner as the original
3 appointment.

4 (i) Compensation and reimbursement.--Commissioners shall
5 receive no salary or other compensation but shall be entitled to
6 receive expenses actually and necessarily incurred in the
7 performance of their duties.

8 (j) Powers and duties.--The commission shall have the
9 following powers and duties:

10 (1) To serve as a monitoring body to ensure that the
11 department is meeting the intentions of the Governor and the
12 General Assembly in being a proactive advocate on behalf of
13 veterans, military service members and their dependents,
14 dependent survivors and beneficiaries.

15 (2) To advise the secretary and the Governor on all
16 matters pertaining to the status, welfare, benefits,
17 employment and other support of veterans in this
18 Commonwealth.

19 (3) To advise the secretary and the Governor on any
20 veterans affairs matter they bring before the commission.

21 (4) To assist the secretary in the formulation of
22 policies affecting veterans.

23 (5) To investigate the work of the department and make
24 recommendations to it regarding its administration of
25 applicable Federal and State laws, including State veterans
26 programs assigned to the department.

27 (6) To investigate and recommend to the secretary
28 legislation for submission to the General Assembly concerning
29 veterans and their activities.

30 (7) To work with the Veterans Organizations Advisory

1 Council to obtain their views and positions on all matters
2 related to veterans.

3 (8) To conduct a biennial survey of possible
4 contributions that veterans service organizations and their
5 auxiliaries and other organizations concerned with veterans
6 benefits could make to the Commonwealth and report these
7 results to the department together with recommendations for
8 encouraging the contributions.

9 (9) To conduct an annual review on veterans issues for
10 the purpose of identifying those issues most urgently in need
11 of departmental, gubernatorial or legislative action. The
12 results of the review shall be formally reported in writing
13 to the Governor, the department, the President pro tempore of
14 the Senate and the Speaker of the House of Representatives.

15 (10) To present legislative testimony for any action
16 requiring legislative involvement.

17 (11) To induct nominees from the advisory council for
18 the veterans home hall of fame.

19 (k) Administration prohibited.--The commission shall not
20 administer any veterans programs or portions of veterans
21 programs for the department.

22 (l) Administrative support.--In addition to an executive
23 secretary, the secretary shall provide the commission with
24 additional administrative staff support as required in the
25 performance of their duties.

26 § 1816. Veterans Organizations Advisory Council.

27 (a) Establishment.--The State department commanders or
28 official heads of each veterans organization shall constitute an
29 advisory council to the department and to the commission, to be
30 known as the Veterans Organizations Advisory Council. The

1 Veterans Organizations Advisory Council shall not be subject to
2 control, supervision or direction by the department or the
3 commission.

4 (b) Bylaws.--The Veterans Organizations Advisory Council may
5 create bylaws for its own use and conduct meetings among its own
6 members as necessary. Members may appoint an authorized delegate
7 to represent them on the Veterans Organizations Advisory
8 Council.

9 (c) Powers and duties.--The Veterans Organizations Advisory
10 Council shall have the following powers and duties:

11 (1) To nominate members to sit on the State veterans
12 homes advisory councils to the secretary.

13 (2) To, when requested, biennially assist the commission
14 in its survey of the possible contributions that veterans
15 service organizations and their auxiliaries and other
16 organizations concerned with veterans benefits can make to
17 assist the department in providing benefits to veterans,
18 their dependents, surviving dependents and beneficiaries.

19 (3) To support the commission in its work with the
20 various veterans organizations and their auxiliaries within
21 this Commonwealth.

22 (4) To function as a liaison between the various
23 veterans organizations and the commission on matters
24 pertaining to veterans and their organizations.

25 (5) To work with the commission to identify those issues
26 most urgently in need of departmental, gubernatorial or
27 legislative action.

28 (6) To present legislative testimony for any action
29 requiring legislative involvement.

30 (7) To submit names to the secretary for recommendation

1 for appointment to the commission.

2 § 1817. Advisory councils for State veterans homes.

3 (a) Establishment.--There is established an advisory council
4 to the Director of State Veterans Homes and the commandant and
5 secretary for each veterans home operated by the department.

6 (b) Composition.--

7 (1) Each advisory council established under subsection

8 (a) shall consist of the following members:

9 (i) Ten members appointed by the Governor from a
10 list of nominations submitted to the secretary by the
11 Veterans Organizations Advisory Council.

12 (ii) One member of the Senate appointed by the
13 President pro tempore of the Senate.

14 (iii) One member of the Senate appointed by the
15 Minority Leader of the Senate.

16 (iv) One member of the House of Representatives
17 appointed by the Speaker of the House of Representatives.

18 (v) One member of the House of Representatives
19 appointed by the Minority Leader of the House of
20 Representatives.

21 (vi) One member appointed by the residents of the
22 State veterans homes.

23 (vii) The director of State veterans homes, who
24 shall serve ex officio.

25 (viii) Any members appointed pursuant to paragraph
26 (2).

27 (2) The secretary may appoint the head of a State agency
28 or a designee as an ex officio member.

29 (c) Terms of service.--Each member of an advisory council
30 appointed from the General Assembly shall serve until the

1 succeeding General Assembly is seated. With the exception of ex
2 officio members, all other members shall serve a term of three
3 years. Appointments will be staggered as much as practicable. A
4 member shall be eligible for reappointment.

5 (d) Officers.--Each advisory council shall organize as soon
6 as possible after the effective date of this section and shall
7 annually elect a president, vice president and secretary.

8 (e) Meetings and quorums.--Nine members of an advisory
9 council shall constitute a quorum for the purpose of conducting
10 the business of the advisory council. Each advisory council
11 shall meet at least quarterly and at other times at the call of
12 the president.

13 (f) Removal for cause.--Each member may be removed for cause
14 by the member's respective appointing authority.

15 (g) Compensation and reimbursement.--Members of each
16 advisory council shall receive no compensation for their
17 services but shall receive reimbursement from the department for
18 their necessary and proper expenses for attendance at meetings.

19 (h) Powers and duties.--

20 (1) Each advisory council shall advise the director of
21 State veterans homes as to the management, operations and
22 adequacy of facilities and services at their respective
23 veterans homes.

24 (2) Each advisory council shall nominate inductees for
25 their respective veterans home hall of fame in accordance
26 with that program's guidance.

27 (3) Each advisory council shall advise at least annually
28 the secretary as to the management, operations and adequacy
29 of facilities and services at their respective veterans
30 homes. The advice will be documented in the format specified

1 by the secretary. A copy of this report shall be forwarded to
2 the commission.

3 § 1818. Prohibitions.

4 Neither the department nor a veterans service officer may do
5 any of the following:

6 (1) Charge a fee or permit the payment of a fee by an
7 applicant to a third person for services the veterans service
8 officer renders under this chapter.

9 (2) Seek to influence the execution of a power of
10 attorney to itself or to one national service organization
11 over that of another.

12 (3) Refuse to aid a veteran or a service member on
13 active duty or their dependents, surviving dependents or
14 beneficiaries in services rendered under this chapter.

15 § 1819. Confidentiality of records.

16 No records on individuals shall be disclosed or used for any
17 purpose, except for official purposes, and no records shall be
18 disclosed, destroyed or used in any manner which is in violation
19 of any existing Federal law. Nothing in this chapter shall be
20 construed to convert records which are the property of the
21 Federal Government into Commonwealth property.

22 § 1820. Technology services.

23 (a) Veterans Internet website.--

24 (1) The department shall work with the Deputy Secretary
25 for Information Technology in the Governor's Office of
26 Administration and with other State agencies as necessary to
27 establish and maintain on the State's Internet website a link
28 to the veterans Internet website. The Internet website shall
29 allow veterans to access information on Federal and State
30 veterans benefits programs.

1 (2) Any State agency that participates in the veterans
2 Internet website is encouraged to allow a veteran to
3 electronically file for Commonwealth veterans benefits,
4 including the electronic signing of the filing by the veteran
5 and an electronic acknowledgment of the filing.

6 (3) The veterans Internet website may allow a veteran to
7 electronically file for selected Federal veterans benefits as
8 specified by the department, when deemed prudent.

9 (4) The veterans Internet website shall also include a
10 detailed organizational chart for the department, the annual
11 written performance and accountability report, the survey
12 report, the strategic plan, the benefits handbook and the
13 newsletter as described in this section and section 1821
14 (relating to reports).

15 (b) Toll-free telephone number.--The department shall
16 establish, operate and maintain a toll-free telephone number for
17 the purpose of providing callers with information relating to
18 services provided by the department as well as services and
19 programs provided to veterans by other agencies, bureaus and
20 organizations.

21 (c) Forms.--All forms of the department that are
22 disseminated to the public shall contain all of the following:

23 (1) The veterans Internet website address.

24 (2) The department's toll-free telephone number.

25 (d) Benefits booklets.--

26 (1) In every even-numbered year, the department shall
27 create an electronic version of a State veterans benefits
28 booklet and provide a printed copy and an electronic version
29 of the booklet to all of the following:

30 (i) Each State, county and city veterans service

1 officer for distribution in accordance with paragraph
2 (2).

3 (ii) The personnel office of each Federal or State
4 military installation in this Commonwealth.

5 (iii) Each member of the General Assembly.

6 (iv) Each veterans service organization chartered in
7 this Commonwealth.

8 (2) Each State, county and city veterans service officer
9 is encouraged to distribute a copy of the booklet to any
10 person who claims or will claim Pennsylvania as a residence
11 after discharge from the armed forces of the United States.
12 Each State, county and city veterans service officer shall
13 make a copy of the booklet available at the State, county or
14 city veterans service office.

15 (3) The department shall update the booklet as
16 necessary.

17 (4) The department shall provide an electronic version
18 of the booklet on the veterans Internet website.

19 (e) Electronic access.--The department, with the assistance
20 of the Deputy Secretary for Information Technology in the
21 Governor's Office of Administration, shall develop and implement
22 a program that uses appropriate computer hardware and software
23 to facilitate:

24 (1) electronic delivery of a veterans newsletter and the
25 benefits booklet in subsection (d); and

26 (2) electronic initiation and tracking of veterans
27 benefits claims by State, county and city veterans service
28 officers.

29 § 1821. Reports.

30 (a) Performance and accountability report.--The department

1 shall, no later than December 31 of each year, make an annual
2 written performance and accountability report for the prior
3 fiscal year, to the Governor, the commission, the President pro
4 tempore of the Senate and the Speaker of the House of
5 Representatives. The report shall include:

6 (1) A comparison of State performance against other
7 states and each county in the receipt and use of Federal
8 veterans entitlements.

9 (2) The expenses incurred in veterans service work in
10 this Commonwealth.

11 (3) The number, nature and kind of cases handled by the
12 department and by county and city veterans service officers.

13 (4) The amounts of increased benefits obtained for
14 veterans.

15 (5) An evaluation of the Bureau of Veterans Benefits
16 Assistance performance in relation to the department's
17 performance management measurement standards established for
18 it.

19 (6) The names of all certified veterans service
20 officers, including county and city veterans service
21 officers.

22 (7) An accounting of State veterans home utilization,
23 waiting periods and costs, together with an evaluation of the
24 Bureau of State Veterans Homes' performance in relation to
25 the department's performance management measurement standards
26 established for it.

27 (8) A list of Federal and State laws, rules and
28 regulations, with synopsis, promulgated during the
29 legislative year.

30 (9) A detailed accounting of all money received and

1 disbursed in the prior fiscal year.

2 (10) The actions taken by the department in implementing
3 State programs and services.

4 (11) An evaluation of the performance any other unit of
5 the department not provided for in this subsection in
6 relation to established performance management measurement
7 standards.

8 (b) Survey report.--The department shall conduct an ongoing
9 study on the problems and needs of those residents of this
10 Commonwealth who are veterans of the armed forces of the United
11 States and the problems and needs of their dependents, surviving
12 dependents and beneficiaries. The report shall be submitted
13 biennially to the same parties listed in the performance and
14 accountability report. The report shall include:

15 (1) A survey of existing Federal and State programs
16 available for such persons that specifies the extent to which
17 such programs presently are being implemented, with
18 recommendations for the improved implementation, extension or
19 improvement of such programs.

20 (2) A survey of the needs of such persons in the areas
21 of social services, health care, education and employment and
22 any other areas of determined need, with recommendations
23 regarding Federal, State and community services that would
24 meet those needs.

25 (3) A survey of Federal, State, public and private
26 moneys available that could be used to defray the costs of
27 State or community services needed for such persons.

28 (c) Strategic plan.--The department shall prepare and submit
29 biennially by July 1st of even-numbered years a five-year plan.
30 The plan shall be submitted to the same parties listed in

1 subsection (a). The plan shall include the performance
2 management measures and standards to be used in the performance
3 and accountability report.

4 § 1822. Cost-reduction measures and acceptance of gifts.

5 The department, with the approval of the Governor, may apply
6 for and accept funds, grants, gifts and services from the
7 Commonwealth, the United States Government or any of its
8 agencies, or any other public or private source and may use
9 funds derived from these sources to defray clerical and
10 administrative costs as may be necessary for carrying out its
11 duties. Any funds received under this section shall be subject
12 to accountability and audit.

13 § 1823. Interagency agreements.

14 The secretary shall adopt a joint memorandum of understanding
15 with the following governmental entities to coordinate the
16 provision of services to veterans and their dependents,
17 surviving dependents and beneficiaries:

18 (1) The Department of Labor and Industry.

19 (2) The Department of Education.

20 (3) The Office of Administration.

21 (4) The Department of Aging.

22 (5) The Department of Public Welfare.

23 (6) Any other agency of the Commonwealth that
24 administers a program applicable only to veterans or their
25 dependents or routinely works with veterans.

26 § 1824. Conflict of interest.

27 Notwithstanding any other provision of law, a person required
28 to register as a lobbyist because of activities on behalf of a
29 veterans organization or association may not serve as a member
30 of or as general counsel to the department, the commission or

1 any of the State veterans homes advisory councils.

2 § 1825. Information of public interest and public complaints.

3 The department shall prepare information of public interest
4 describing the functions of the department and the procedures
5 for filing and for resolution of public complaints by the
6 department. The department shall make the information available
7 to the general public and appropriate State agencies.

8 § 1826. Liberal construction.

9 The rule of strict construction shall have no application to
10 this chapter and it shall be liberally construed in order to
11 carry out the objective for which it is designed, in accordance
12 with the legislative intent to give the secretary the maximum
13 possible freedom in carrying the provisions of this chapter into
14 effect.

15 § 1827. Conflict between statutes and within the statute.

16 Unless explicitly expressed otherwise, when a conflict arises
17 with other statutes or with other provisions within this title,
18 this chapter shall have precedence and shall govern.

19 § 1828. Severability.

20 The provisions of this act are severable. If any provision of
21 this act or its application to any person or circumstance is
22 held invalid, the invalidity shall not affect other provisions
23 or applications of this act which can be given effect without
24 the invalid provision or application.

25 CHAPTER 20

26 VETERANS HOME HALL OF FAME

27 Sec.

28 2001. Definitions.

29 2002. State veterans home hall of fame.

30 2003. Selection of inductees.

1 2004. Oversight.

2 2005. Documentation.

3 2006. Centralized list.

4 § 2001. Definitions.

5 The following words and phrases when used in this chapter
6 shall have the meanings given to them in this section unless the
7 context clearly indicates otherwise:

8 "Commission." The State Veterans Commission established
9 under Chapter 18 (relating to Department of Veterans Affairs).

10 "Department." The Department of Veterans Affairs of the
11 Commonwealth established under Chapter 18 (relating to
12 Department of Veterans Affairs).

13 § 2002. State veterans home hall of fame.

14 Each State veterans home operated by the Commonwealth shall
15 establish and dedicate a hall of fame to recognize and honor the
16 military achievements of outstanding veterans who have completed
17 honorable, active duty military service and who reside or
18 resided in the geographic region served by the veterans home.
19 The area or space in the veterans home dedicated to the hall of
20 fame may be used for other purposes.

21 § 2003. Selection of inductees.

22 The advisory council for each veterans home shall, consistent
23 with the guidelines established by the department in section
24 2004 (relating to oversight), nominate eligible veterans for
25 induction into the hall of fame by the commission and perform
26 other duties relating to the hall of fame as approved by the
27 department. A Medal of Honor recipient shall be automatically
28 inducted into the hall of fame.

29 § 2004. Oversight.

30 The department shall develop guidelines for the halls of

1 fame. The guidelines shall include all of the following:

2 (1) Eligibility criteria for qualified candidates.

3 (2) Procedures for nomination of candidates and
4 selection of inductees.

5 (3) Ceremonies to officially honor the inductees.

6 (4) Manner of recognizing or presenting the inductees in
7 the halls of fame.

8 (5) Maintenance of the halls of fame.

9 (6) Duties of the advisory councils of the veterans
10 homes relating to the halls of fame.

11 § 2005. Documentation.

12 Each eligible veteran or his or her representative shall be
13 responsible for obtaining the documentation necessary to
14 establish his or her eligibility from the National Archives in
15 Washington, DC, or the National Personnel Record Center in St.
16 Louis, Missouri.

17 § 2006. Centralized list.

18 The department shall keep a centralized list of all hall of
19 fame inductees from all regional veterans homes.

20 Section 5. Sections 3201, 3210, 7101, 7701, 7702, 8501,
21 8504(b), 8505, 8701, 8702(a) and (b), 8703(b) and (c), 8901,
22 8902, 8903, 8904, 8905, 9102(a) and (b) and 9301 of Title 51 are
23 amended to read:

24 § 3201. Definitions.

25 The following words and phrases when used in this chapter
26 shall have the meanings given to them in this section unless the
27 context clearly indicates otherwise:

28 "Agency." The Pennsylvania Higher Education Assistance
29 Agency.

30 "Approved institution of higher learning." An educational

1 institution offering a post-secondary program of education
2 located in this Commonwealth and approved by the Pennsylvania
3 Higher Education Assistance Agency.

4 "Approved program of education." A degree- or certificate-
5 granting curriculum or course of study to be pursued on a full-
6 time or part-time basis or its equivalent as determined by the
7 Pennsylvania Higher Education Assistance Agency, at an approved
8 institution of higher learning.

9 "Department." The Department of Military [and Veterans]
10 Affairs of the Commonwealth.

11 "Eligible member." A member of the Pennsylvania National
12 Guard who meets the criteria specified in section 3202 (relating
13 to eligibility) and who has been awarded a certificate of
14 eligibility under section 3203 (relating to certification of
15 eligibility).

16 "Full-time student." A student enrolled in an approved
17 institution of higher learning pursuing an approved program of
18 education equal to or greater than 15 credit hours or its
19 equivalent recognized by the Pennsylvania Higher Education
20 Assistance Agency as a full-time course of study.

21 "Fund." The Educational Assistance Program Fund.

22 "Part-time student." A student enrolled in an approved
23 institution of higher education pursuing an approved program of
24 education of less than 15 credit hours or its equivalent
25 recognized by the Pennsylvania Higher Education Assistance
26 Agency as a part-time course of study.

27 "Program." The Educational Assistance Program established in
28 this chapter.

29 "Qualified resident." An individual who has been a bona fide
30 resident of this Commonwealth prior to the time an application

1 for a grant is made. The Pennsylvania Higher Education
2 Assistance Agency shall make the final decision on whether an
3 applicant is a qualified resident.

4 § 3210. Educational Assistance Program Fund.

5 All moneys appropriated for the purposes of this chapter and
6 all investment income earned on those moneys shall be deposited
7 in the Educational Assistance Program Fund, which is hereby
8 established as a special nonlapsing fund in the State Treasury.
9 All moneys placed in the fund and the investment income it
10 accrues are hereby appropriated on a continuing basis to the
11 Department of Military [and Veterans] Affairs and shall be used
12 solely for the purposes of the program.

13 § 7101. Soldier defined.

14 As used in this chapter, "soldier" means a person who served
15 or hereafter serves in the armed forces of the United States, or
16 in any women's organization officially connected therewith,
17 during any war or armed conflict in which the United States
18 engaged and who was released from active duty under honorable
19 conditions, other than from periods of active duty for training,
20 or with an honorable discharge from such service, or a person
21 who so served or hereafter serves in the armed forces of the
22 United States, or in any women's organization officially
23 connected therewith, since July 27, 1953, including service in
24 Vietnam, and who has an honorable discharge from such service.
25 Qualifying periods of service during a war or armed conflict,
26 for purposes of this provision, will be designated by the
27 Department of Military [and Veterans] Affairs.

28 § 7701. Blind veteran's pension.

29 (a) Definition.--As used in this section the term "blind
30 veteran" shall mean any person who served in the military or

1 naval forces of the United States, or any woman's organization
2 officially connected therewith, at any time, and who gave the
3 Commonwealth of Pennsylvania, as his or her place of residence
4 at the time of entering the military or naval forces of the
5 United States, and who while performing duties connected with
6 such service suffered an injury or incurred a disease which
7 resulted in blindness to the extent that he or she has 3/60 or
8 10/200 or less normal vision. The term "blind veteran" shall not
9 include any person separated from the military or naval forces
10 of the United States, or any woman's organization officially
11 connected therewith, under other than honorable conditions.

12 (b) Amount and eligibility.--In addition to any other
13 assistance provided by the Commonwealth and in addition to any
14 compensation provided by the Federal Government, every blind
15 veteran shall be paid a pension of \$150 per month. Applications
16 for such pensions shall be made to and in the form prescribed by
17 the [department] Department of Veterans Affairs. The [Adjutant
18 General] Department of Veterans Affairs shall have the power,
19 and it shall be [his] the duty of the Department of Veterans
20 Affairs to determine the eligibility of every applicant for a
21 pension, and [his] the Department of Veterans Affairs' decision
22 in the matter shall be final.

23 § 7702. Paralyzed veteran's pension.

24 (a) Amount and eligibility.--In addition to any other
25 assistance provided by the Commonwealth and in addition to any
26 compensation provided by the Federal Government, every paralyzed
27 veteran shall be paid a pension of \$150 per month. Applications
28 for the pensions shall be made to and in the form prescribed by
29 the [department] Department of Veterans Affairs. The [Adjutant
30 General] Department of Veterans Affairs shall determine the

1 eligibility of every applicant for a pension, and [his] the
2 Department of Veterans Affairs' decision in the matter shall be
3 final.

4 (b) Regulations.--The [Adjutant General] Department of
5 Veterans Affairs shall promulgate such regulations as may be
6 necessary to implement this program.

7 (c) Definition.--As used in this section the term "paralyzed
8 veteran" means any person who served in the military or naval
9 forces of the United States, or any woman's organization
10 officially connected therewith, and who gave this Commonwealth
11 as his or her place of residence at the time of entering the
12 military or naval forces of the United States and who, while
13 performing duties connected with such service, suffered an
14 injury or incurred a disease which resulted in the loss or loss
15 of use of two or more extremities. The term does not include any
16 person separated from the military or naval forces of the United
17 States, or any woman's organization officially connected
18 therewith, under other than honorable conditions.

19 § 8501. Definitions.

20 The following words and phrases when used in this chapter
21 shall have the meanings given to them in this section unless the
22 context clearly indicates otherwise:

23 ["Commission." The State Veterans' Commission established
24 under section 1702 (relating to State Veterans' Commission).]

25 "Department." The Department of Veterans Affairs of the
26 Commonwealth established under section 1802 (relating to
27 establishment).

28 "Eligible veteran." A former member of the military or naval
29 service of the United States, or women's organization officially
30 connected therewith, who:

1 (1) served during a period of war or armed conflict and
2 was honorably discharged from the armed forces;

3 (2) died in service or was killed in action during a
4 period of war or armed conflict; or

5 (3) as a result of peacetime hostile fire or terrorist
6 attack as determined by the department, was killed or
7 suffered a service-connected disability as certified by the
8 United States Veterans' Administration and, if surviving, was
9 honorably discharged from the armed forces.

10 "Emergency." A sudden or unexpected loss of income due to
11 sickness, disability, unemployment or other cause beyond the
12 control of the applicant for emergency assistance.

13 "Surviving dependents." The following are considered
14 surviving dependents of a deceased eligible veteran:

15 (1) The unmarried surviving spouse of the deceased
16 eligible veteran.

17 (2) If there is no unmarried spouse of a deceased
18 eligible veteran, the unmarried minor children, children who,
19 before attaining the age of 18, became permanently incapable
20 of self-support, and children who are less than 23 years of
21 age and are pursuing a full-time course of instruction at an
22 approved educational institution, provided they were, on the
23 death of the eligible veteran, dependent on the eligible
24 veteran for more than 50% of the cost of their support.

25 (3) If the eligible veteran is not survived by a spouse
26 or dependent children, the surviving parents of the eligible
27 veteran, provided that, on the date of the eligible veteran's
28 death, they were dependent on the veteran for more than 50%
29 of the cost of their support.

30 § 8504. Amounts of assistance.

1 * * *

2 (b) Standards.--Subject to the limitation set forth in
3 subsection (a), [the State Veterans' Commission shall recommend]
4 the department shall establish uniform and equitable standards
5 for the amounts of veterans' emergency assistance.

6 * * *

7 § 8505. Appeals.

8 Any person aggrieved by a decision denying payment of
9 veterans' emergency assistance may appeal to the [Adjutant
10 General] department under provisions of Title 2 (relating to
11 administrative law and procedure).

12 § 8701. Definitions.

13 The following words and phrases when used in this chapter
14 shall have the meanings given to them in this section unless the
15 context clearly indicates otherwise:

16 ["Commission." The State Veterans' Commission established
17 under section 1702 (relating to State Veterans' Commission).]

18 "Department." The Department of Veterans Affairs of the
19 Commonwealth established under section 1802 (relating to
20 establishment).

21 "Educational institution." Any college or university of the
22 State System of Higher Education, a State-aided educational or
23 training institution of a secondary or college grade or other
24 institution of higher education, a business school, a trade
25 school, a hospital school providing training for nurses, an
26 institution providing courses in beauty culture, art, radio or
27 undertaking or embalming, or such other educational training
28 within this Commonwealth approved by the commission.

29 "Eligible disabled or deceased veteran." A person who served
30 in the military or naval forces of the United States, or a

1 women's organization officially connected therewith, who:

2 (1) was killed in action or died as a result of wounds
3 incurred during a period of war or armed conflict or as a
4 result of hostile fire or terrorist attack during peacetime
5 (as determined by the Department of Military Affairs);

6 (2) died in service during a period of war or armed
7 conflict;

8 (3) was honorably discharged from the military or naval
9 forces of the United States and certified by the United
10 States Veterans' Administration as a 100% disabled veteran as
11 a result of service during a period of war or armed conflict
12 or as a result of hostile fire or terrorist attack (as
13 determined by the Department of Military Affairs) during
14 peacetime; or

15 (4) was honorably discharged from the military or naval
16 forces of the United States and died as a result of a
17 service-connected disability (as certified by the United
18 States Veterans' Administration) incurred during a period of
19 war or armed conflict or as a result of peacetime hostile
20 fire or terrorist attack (as determined by the Department of
21 Military Affairs).

22 "Qualified child." Any child meeting the requirements of
23 section 8703 (relating to eligibility and qualification
24 requirements).

25 § 8702. Educational gratuity payments.

26 (a) General rule.--The [commission] department shall make
27 educational gratuity payments not exceeding \$500 per term or
28 semester per qualified child to each approved educational
29 institution upon submission by that approved educational
30 institution of proof that bills have been incurred or contracted

1 covering matriculation fees and other necessary fees, tuition,
2 board, room rent, books and supplies for a qualified child in a
3 definite amount for the school year.

4 (b) Records.--The [commission] department shall attach the
5 proof submitted under subsection (a) to the requisition prepared
6 for payment out of appropriations made by the General Assembly
7 for purposes of the educational gratuity payments.

8 * * *

9 § 8703. Eligibility and qualification requirements.

10 * * *

11 (b) Qualification determination.--The [commission]
12 department shall determine qualified applicants based on the
13 following requirements:

14 (1) The applicant meets the requirements of subsection
15 (a).

16 (2) The applicant is attending an approved educational
17 institution.

18 (3) The applicant demonstrates a financial need for the
19 educational gratuity.

20 (c) Appeal.--Any aggrieved applicant may appeal the decision
21 of the [commission to the Adjutant General] department under the
22 provisions of Title 2 (relating to administrative law and
23 procedure).

24 § 8901. Definitions.

25 The following words and phrases when used in this chapter
26 shall have the meanings given to them in this section unless the
27 context clearly indicates otherwise:

28 "Blind." Visual acuity of three-sixtieths or ten two-
29 hundredths, or less normal vision.

30 ["Commission." The State Veterans' Commission established

1 under section 1702 (relating to State Veterans' Commission).]

2 "Department." The Department of Veterans Affairs of the
3 Commonwealth established under section 1802 (relating to
4 establishment).

5 "Paraplegic." The bilateral paralysis of the upper or lower
6 extremities of the body.

7 § 8902. Exemption.

8 (a) General rule.--Any citizen or resident of this
9 Commonwealth shall be exempt from the payment of all real estate
10 taxes levied upon any building, including the land upon which it
11 stands, occupied by that person as a principal dwelling, if all
12 of the following requirements are met:

13 (1) That person has been honorably discharged or
14 released under honorable circumstances from the armed forces
15 of the United States for service in any war or armed conflict
16 in which this nation was engaged.

17 (2) As a result of such military service, that person is
18 blind or paraplegic or has sustained the loss of two or more
19 limbs, or has a service-connected disability declared by the
20 United States Veterans Administration or its successors to be
21 a total or 100% permanent disability.

22 (3) The dwelling is owned by that person solely or as an
23 estate by the entirety.

24 (4) The need for the exemption from the payment of real
25 estate taxes has been determined by the [State Veterans'
26 Commission] department.

27 (b) Extension of exemption.--The exemption provided in
28 subsection (a) shall be extended to the unmarried surviving
29 spouse upon the death of the eligible veteran provided that the
30 [State Veterans' Commission] department determines that such

1 spouse is in need of an exemption.

2 [§ 8903. Duty of board.

3 When the conditions specified in section 8902 (relating to
4 exemption) are determined to exist by the board for the
5 assessment and revision of taxes, or by a similar board for the
6 assessment of taxes, and upon the receipt by that board of a
7 certification of need for the tax exemption from the commission,
8 the board shall grant the tax exemption prescribed by section
9 8902. Notification of the granting of the tax exemption by the
10 board shall be forwarded to the person who has received the
11 exemption from the payment of real estate taxes and to the tax-
12 levying bodies and tax collectors of all political subdivisions
13 imposing taxes upon the dwelling of the person granted the
14 exemption from payment of real estate taxes.]

15 § 8904. Duty of [commission] department.

16 The [commission] department shall:

17 (1) Fix uniform and equitable standards for determining
18 the need for exemption from the payment of real estate taxes
19 granted by this act.

20 (2) After submission of proof of need by the applicant
21 for the exemption from payment of real estate taxes,
22 determine the need of the applicant.

23 (3) Review at least once every two years all
24 determinations of need for exemptions from the payment of
25 real estate taxes which have been granted in order to
26 determine any changes in the economic status of applicants
27 bearing upon the question of need.

28 (4) Certify the name and address and the need for
29 exemption from payment of real estate taxes, or termination
30 of such need, to the board for the assessment and revision of

1 taxes, or similar board for the assessment of taxes, having
2 jurisdiction of the assessment of the real property owned
3 solely or as an estate by the entirety and occupied as a
4 residence by the person seeking the tax exemption granted by
5 this chapter.

6 § 8905. Appeals.

7 Any applicant aggrieved by a determination of the
8 [commission] department may appeal that determination [to the
9 Adjutant General] under the provisions of Title 2 (relating to
10 administrative law and procedure).

11 § 9102. Affidavits and acknowledgments by designated officers.

12 (a) Designation of certain officers authorized.--Each local
13 organization of The American Red Cross, The American Legion,
14 Veterans of World War I of the U.S.A., Inc., Veterans of Foreign
15 Wars of the United States, Disabled American Veterans, United
16 Spanish War Veterans, Regular Veterans Association, Director of
17 Veterans Affairs, Jewish War Veterans of the United States, the
18 Military Order of the Purple Heart, the Italian American War
19 Veterans of the United States, Incorporated, and such other
20 similar organizations now or hereafter accredited or recognized
21 by the United States [Veterans Administration] Department of
22 Veterans Affairs, which supplies such aid and assistance to
23 veterans or their dependents, and which gratuitously prepares
24 forms for veterans and their dependents in connection with their
25 affairs as such before the United States, any agency thereof, or
26 the Commonwealth, any agency or political subdivision thereof,
27 is hereby authorized to designate one of its officers to take
28 affidavits or acknowledgments to such forms, as may be required
29 by rule, regulation or otherwise by the United States, any
30 agency thereof, or the Commonwealth, any agency or political

1 subdivision thereof, in the administration of the affairs of
2 veterans and their dependents. For the same purposes the
3 Adjutant General is authorized to designate one or more persons
4 from the Department of Military Affairs, the Secretary of
5 Veterans Affairs is authorized to designate one or more persons
6 from the Department of Veterans Affairs, and the State Director
7 of Selective Service is authorized to designate one or more
8 persons from the Pennsylvania Selective Service System.

9 (b) Appointment, certification and authority.--When any such
10 officer or person is so designated, his name, address and
11 official position shall be furnished to the Secretary of the
12 Commonwealth, in writing, signed by such designated officer or
13 person, accompanied by a certificate of his designation by the
14 proper authority of such organization, or of the Adjutant
15 General, the Secretary of Veterans Affairs or the State Director
16 of Selective Service, as the case may be. Upon receipt of such
17 writing and certificate in form as herein provided the Secretary
18 of the Commonwealth, with the approval of the Governor, shall
19 issue under his hand and seal of his office a certificate of
20 appointment to such designated officer or person which shall
21 authorize him to take affidavits or acknowledgments of veterans
22 and their dependents in connection with their affairs as such
23 before the United States, any agency thereof, or the
24 Commonwealth, any agency or political subdivision thereof. Such
25 authorized officer or person shall exercise the authority
26 conferred under the provisions of this section at the pleasure
27 of the Governor. Each certificate issued as aforesaid by the
28 Secretary of the Commonwealth shall be numbered in the order of
29 date issued, and the Secretary of the Commonwealth is hereby
30 authorized to certify such appointment whenever required.

1 * * *

2 [§ 9301. Reports of annual conventions.

3 (a) Printing and distribution by Commonwealth.--Whenever the
4 department commanders of the Grand Army of the Republic, the
5 United Spanish War Veterans, the Veterans of Foreign Wars of the
6 United States, the American Legion, the Disabled American
7 Veterans of the World War, the Veterans of World War I of the
8 U.S.A., Inc., the American Veterans of World War II (AMVETS),
9 Military Order of the Purple Heart, Jewish War Veterans,
10 Catholic War Veterans, Inc., The Society of the 28th Division,
11 A.E.F., the Marine Corps League and the Italian American War
12 Veterans of the United States, Incorporated, shall report to the
13 Department of Property and Supplies the proceedings of the
14 annual encampment or conventions of their respective
15 departments, with such general and special orders and circulars
16 and other data which may form a part of said proceedings, then
17 the said proceedings, so reported, shall be considered
18 Commonwealth records, and under the direction of the Department
19 of Property and Supplies, shall be printed and bound, and a
20 printed and bound copy thereof shall be sent to each post or
21 detachment in this Commonwealth of the organization of whose
22 proceedings the same is a report.

23 (b) Number of copies printed and distributed.--Not more than
24 1500 copies of each of such annual reports shall be printed and
25 bound, and the balance remaining after the distribution provided
26 for in subsection (a) may be requisitioned as follows:

27 (1) State Librarian, 300 copies.

28 (2) Legislative Reference Bureau and Senate Library, ten
29 copies.

30 (3) Executive head of the organization of whose

1 proceedings it is a report, the remaining copies.]

2 Section 6. (a) All personnel, allocations, appropriations,
3 agreements, leases, claims, demands and causes of action of any
4 nature whether or not subject to litigation on the date of this
5 section, equipment, files, records, classified data files,
6 plans, maps, air photographs and all other materials which are
7 used, employed or expended in connection with the duties, powers
8 or functions of the Department of Military and Veterans Affairs
9 relating to veterans' affairs are hereby transferred by this act
10 to the Department of Veterans Affairs with the same force and
11 effect as if the appropriations had been made to and said items
12 had been the property of the Department of Veterans Affairs in
13 the first instance and if said contracts, agreements, leases and
14 obligations had been incurred or entered into by the Department
15 of Veterans Affairs.

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

21 Section 7. This act shall take effect in 60 days.