

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 338 Session of
2007

INTRODUCED BY BROWNE, ORIE, RHOADES, COSTA AND LOGAN,
MARCH 12, 2007

REFERRED TO STATE GOVERNMENT, MARCH 12, 2007

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employes of certain departments, boards and
20 commissions shall be determined," establishing the Department
21 of Drug and Alcohol Programs; making repeals; and making
22 editorial changes.

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

25 Section 1. Section 201 of the act of April 9, 1929 (P.L.177,
26 No.175), known as The Administrative Code of 1929, amended
27 December 30, 1984 (P.L.1299, No.245) and repealed in part May

1 26, 1988 (P.L.414, No.72), is amended to read:

2 Section 201. Executive Officers, Administrative Departments
3 and Independent Administrative Boards and Commissions.--(a) The
4 executive and administrative work of this Commonwealth shall be
5 performed by the Executive Department, consisting of the
6 Governor, Lieutenant Governor, Secretary of the Commonwealth,
7 Attorney General, Auditor General, State Treasurer, and
8 Secretary of Education; by the Executive Board, and the
9 Pennsylvania State Police; by the following administrative
10 departments: Department of State, Office of Attorney General,
11 Department of Corrections, Department of the Auditor General,
12 Treasury Department, Department of Education, Department of
13 Military and Veterans Affairs, Insurance Department, Department
14 of Banking, Department of Agriculture, Department of
15 Transportation, Department of Health, Department of Drug and
16 Alcohol Programs, Department of Labor and Industry, Department
17 of Aging, Department of Public Welfare, Department of General
18 Services, Department of Revenue, [Department of Commerce,
19 Department of Community Affairs and Department of Environmental
20 Resources] Department of Community and Economic Development,
21 Department of Environmental Protection and Department of
22 Conservation and Natural Resources; and by the following
23 independent administrative boards and commissions: Pennsylvania
24 Game Commission, Pennsylvania Fish and Boat Commission, State
25 Civil Service Commission, Pennsylvania Public Utility Commission
26 and the Pennsylvania Securities Commission.

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

1 Board and to the Pennsylvania State Police.

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

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

10 * * *

11 In the Department of Drug and Alcohol Programs,
12 Bureau of Prevention and Intervention,
13 Bureau of Treatment,
14 Bureau of Administration.

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

18 Section 3. Section 203 of the act, amended December 3, 1970
19 (P.L.834, No.275), July 22, 1975 (P.L.75, No.45), June 20, 1978
20 (P.L.477, No.70), December 6, 1982 (P.L.774, No.223) and June
21 30, 1988 (P.L.475, No.80) and repealed in part April 29, 1988
22 (P.L.381, No.60), July 2, 1993 (P.L.439, No.64) and June 22,
23 1999 (P.L.99, No.15), is amended to read:

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

27 In the Department of Military and Veterans Affairs,
28 State Military Reservation Commission,

29 In the Department of Environmental [Resources] Protection,
30 Citizens Advisory Council;

1 In the Department of Health,

2 Advisory Health Board;

3 In the Department of Labor and Industry,

4 Advisory Council on Affairs of the Handicapped,

5 Advisory Board on Problems of Older Workers,

6 Policy, Planning and Evaluation Advisory Committee;

7 In the Department of Public Welfare,

8 State Board of Public Welfare,

9 Advisory Committee for the Blind,

10 Advisory Committee for General and Special Hospitals,

11 Advisory Committee for Children and Youth,

12 Advisory Committee for Public Assistance,

13 Advisory Committee for Mental Health and Mental

14 Retardation.

15 Section 4. Section 206 of the act, amended December 30, 1984

16 (P.L.1299, No.245), is amended to read:

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

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

25 Secretary of the Commonwealth, of the Department of State;

26 Auditor General, of the Department of the Auditor General;

27 State Treasurer, of the Treasury Department;

28 Attorney General, of the Office of Attorney General;

29 Secretary of Education, of the Department of Education;

30 Adjutant General, of the Department of Military and

1 Veterans Affairs;

2 Insurance Commissioner, of the Insurance Department;

3 Secretary of Banking, of the Department of Banking;

4 Secretary of Agriculture, of the Department of Agriculture;

5 Secretary of Transportation, of the Department of

6 Transportation;

7 Secretary of Health, of the Department of Health;

8 Secretary of Drug and Alcohol Programs, of the

9 Department of Drug and Alcohol Programs;

10 Secretary of Labor and Industry, of the Department of Labor

11 and Industry;

12 Secretary of Aging, of the Department of Aging;

13 Secretary of Public Welfare, of the Department of Public

14 Welfare;

15 Secretary of Revenue, of the Department of Revenue;

16 [Secretary of Commerce, of the Department of Commerce;

17 Secretary of Community Affairs, of the Department of

18 Community Affairs;

19 Secretary of Environmental Resources, of the Department of

20 Environmental Resources;]

21 Secretary of Community and Economic Development, of the

22 Department of Community and Economic Development;

23 Secretary of Environmental Protection, of the Department of

24 Environmental Protection;

25 Secretary of Conservation and Natural Resources, of the

26 Department of Conservation and Natural Resources;

27 Secretary of General Services, of the Department of General

28 Services;

29 Secretary of Corrections, of the Department of Corrections.

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

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

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

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

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

19 * * *

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

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

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

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

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

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

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

27 * * *

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

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

5 * * *

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

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

9 * * *

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

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

17 * * *

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

24 * * *

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

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

4 * * *

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

6 ARTICLE XXIII-A

7 POWERS AND DUTIES OF THE DEPARTMENT OF DRUG

8 AND ALCOHOL PROGRAMS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

29 (xv) Treatment and rehabilitation services for male
30 and female juveniles and adults who are charged with,

1 convicted of or serving a criminal sentence for any
2 criminal offense under the law of this Commonwealth.
3 Provision of similar services shall be made for juveniles
4 adjudged to be delinquent, dependent or neglected. These
5 services shall include, but are not limited to, emergency
6 medical services, inpatient services, intermediate care
7 and rehabilitative and outpatient services.

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

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

30 (xviii) Providing standards for the approval by the

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

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

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

22 (xxi) Establishment of priorities for deciding
23 allocation of the funds.

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

28 (xxiii) Evaluating the programs and projects carried
29 out and disseminating the results of such evaluations.

30 (xxiv) Establishing such advisory committees as

1 deemed necessary to assist the department in fulfilling
2 its responsibilities.

3 (2) In developing the State plan initially, and prior to
4 its amendment annually, to hold a public hearing at least 30
5 days prior to the adoption of the initial State plan and
6 subsequent amendments to afford thereby all interested
7 persons an opportunity to present their views thereon either
8 orally or in writing. The Department of Drug and Alcohol
9 Programs, through its staff, shall consult and collaborate
10 with appropriate Federal and State and local departments,
11 boards, agencies and governmental units, and with appropriate
12 public and private agencies, institutions, groups and
13 organizations. Otherwise the promulgation of the State plan
14 shall conform to the procedure contained in the act of July
15 31, 1968 (P.L.769, No.240), referred to as the Commonwealth
16 Documents Law.

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

24 (4) To gather and publish statistics pertaining to drug
25 and alcohol abuse and dependence and promulgate regulations,
26 specifying uniform statistics to be obtained, records to be
27 maintained and reports to be submitted, by public and private
28 departments, agencies, organizations, practitioners and other
29 persons with respect to drug and alcohol abuse and dependence
30 and related problems. Such statistics and reports shall not

1 reveal the identity of any patient or drug or alcohol
2 dependent person or other confidential information.

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

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

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

1 and dependence.

2 (8) To make provision for facilities in each city or
3 region or catchment area which shall provide information
4 about the total Commonwealth drug and alcohol abuse and drug
5 and alcohol dependency programs and services.

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

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

29 Section 12. All orders, permits, regulations, decisions and
30 other actions of the Department of Health or any department,

1 board, commission or agency whose functions have been
2 transferred by this act to the Department of Drug and Alcohol
3 Programs shall remain in full force and effect until modified,
4 repealed, superseded in or otherwise changed by appropriate
5 action of the Department of Drug and Alcohol Programs.

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

11 Section 14. Repeals are as follows:

12 (1) The General Assembly declares that the repeals under
13 paragraph (2) are necessary to effectuate the purposes of
14 this act.

15 (2) The following acts and parts of acts are repealed to
16 the extent specified:

17 (i) Section 4 of the act of April 14, 1972 (P.L.221,
18 No.63), known as the Pennsylvania Drug and Alcohol Abuse
19 Control Act, is repealed.

20 (ii) All other acts and parts of acts are repealed
21 insofar as they are inconsistent with this act.

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