
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1337 Session of
2019

INTRODUCED BY WALSH, DUNBAR, RYAN, MILLARD, STRUZZI AND JOHNSON-
HARRELL, APRIL 26, 2019

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, APRIL 26, 2019

AN ACT

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

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

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

1 Section 302.1. To Department of Community and Economic
2 Development.

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

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

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

12 (3) The duties of the Commonwealth under sections 1, 2,
13 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of the Wagner-Peyser
14 Act (48 Stat. 113, 29 U.S.C. §§ 49, 49a, 49b, 49c, 49d, 49e,
15 49f, 49g, 49h, 49i, 49j, 49k and 49l).

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

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

21 (6) The Apprenticeship and Training Office.

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

23 (8) The Comprehensive Workforce Development System.

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

25 (10) The duties under section 2599.4 of the act of March
26 10, 1949 (P.L.30, No.14), known as the Public School Code of
27 1949.

28 (11) The duties of the Commonwealth under the Worker
29 Adjustment and Retraining Notification Act (Public Law 100-
30 379, 29 U.S.C. § 2101 et seq.).

1 (12) The duties under sections 235, 235A, 236, 237 and
2 238 of the Trade Act of 1974 (Public Law 93-618, 19 U.S.C. §§
3 2295, 2295a, 2296 and 2297).

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

7 (1) Employment and training programs funded under Part A
8 of Title IV of the Personal Responsibility and Work
9 Opportunity Reconciliation Act of 1996 (Public Law 104-193,
10 42 U.S.C. § 601 et seq.).

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

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

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

26 (d) Office of Vocational Rehabilitation.--For the purpose of
27 coordination of efforts between the department and the Office of
28 Vocational Rehabilitation, the department and the Department of
29 Labor and Industry shall enter into a memorandum of
30 understanding under which the services provided under Title I of

1 the Rehabilitation Act of 1973 (Public Law 93-112, 29 U.S.C. §
2 701 et seq.), other than section 112 of the Rehabilitation Act
3 of 1973 (29 U.S.C. § 732) or part C of the Rehabilitation Act of
4 1973 (29 U.S.C. § 741) that relate to vocational rehabilitation
5 services are, to the maximum extent practicable, provided by the
6 department.

7 (e) Federal law requirements.--The department shall make any
8 notifications, applications or requests under Federal law which
9 are necessary to implement the transfers under subsection (a).

10 (f) Lead State agency.--For the purpose of implementing the
11 transfers under subsection (a), the department shall be
12 designated as the lead State agency under the Workforce
13 Innovation and Opportunity Act (Public Law 113-128, 128 Stat.
14 1425).

15 Section 903. State Apprenticeship and Training Council.

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

21 Section 1111. Membership on the State Apprenticeship and
22 Training Council.

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

1 breaking vote.

2 Section 2. Sections 2101, 2104 and 2105 of the act are
3 amended to read:

4 Section 2101. Recodification of regulations.

5 (a) Initial recodification.--The Legislative Reference
6 Bureau has the power and duty to recodify regulations to
7 effectuate the provisions of section 306.

8 (b) Additional recodification.--The Legislative Reference
9 Bureau has the power and duty to recodify regulations to
10 effectuate the provisions of section 302.1.

11 Section 2104. Implementation.

12 (a) Initial implementation.--Implementation of the
13 provisions of this act shall begin immediately and shall be
14 fully completed on or before July 1, 1996.

15 (b) Additional implementation.--Implementation of the
16 provisions of section 302.1 shall begin immediately and shall be
17 fully completed on or before July 1, 2019.

18 Section 2105. Performance audit and report.

19 (a) Performance audit.--The House of Representatives shall
20 direct the Legislative Budget and Finance Committee to conduct a
21 performance audit every two years on the Department of Community
22 and Economic Development. The final audit shall be concluded
23 four years from the effective date of this act. The audit shall
24 specifically include a comprehensive program evaluation of all
25 community development programs administered by the department in
26 conjunction with the provisions of this act. In addition, the
27 audit shall evaluate the delivery costs of the local government
28 service provided by the department.

29 (b) Report.--The department shall submit a report to the
30 General Assembly no later than September 30, 2019. The report

1 shall include a description of the actions undertaken by the
2 department to implement section 302.1.

3 Section 3. Transfers shall be effectuated as follows:

4 The functions, personnel, allocations, appropriations,
5 equipment, supplies, records, contracts, grants, agreements,
6 rights and obligations of the Department of Labor and Industry
7 in relation to a program transferred under this act shall be
8 transferred to the Department of Community and Economic
9 Development. Upon completion, the transfers under this section
10 shall have the same effect as if the subjects of transfers had
11 originally been those of the Department of Community and
12 Economic Development.

13 Section 4. Section 3 of the act of July 14, 1961 (P.L.604,
14 No.304), known as The Apprenticeship and Training Act, is
15 repealed to the extent that it is inconsistent with this act.

16 Section 5. This act shall take effect in 180 days.