

No. 161

AN ACT

SB 1073

Amending the act of April 9, 1929 (P.L.177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," further providing for boards of trustees of certain institutions and for certain advisory committees.

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

Section 1. As much as applies to the Department of Public Welfare of section 202, act of April 9, 1929 (P.L.177), known as "The Administrative Code of 1929," amended June 19, 1964 (P.L.77), is amended to read:

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

\* \* \*

In the Department of Public Welfare,  
Board of Trustees of The Western Youth Development Centers,  
Board of Trustees of The Central Youth Development Centers,  
Board of Trustees of The Eastern Youth Development Centers,  
Board of Trustees of Allentown State Hospital,  
Board of Trustees of Clarks Summit State Hospital,  
Board of Trustees of Danville State Hospital,  
Board of Trustees of Embreeville State Hospital,  
*Board of Trustees of Eastern Pennsylvania Psychiatric  
Institute,*  
Board of Trustees of Farview State Hospital,  
Board of Trustees of Harrisburg State Hospital,  
Board of Trustees of Hollidaysburg State Hospital,  
Board of Trustees of Mayview State Hospital,  
Board of Trustees of Norristown State Hospital,

Board of Trustees of Philadelphia State Hospital,  
 Board of Trustees of Retreat State Hospital,  
 Board of Trustees of Somerset State Hospital,  
 Board of Trustees of Warren State Hospital,  
 Board of Trustees of Wernersville State Hospital,  
 Board of Trustees of Woodville State Hospital,  
 Board of Trustees of Torrance State Hospital,  
 Board of Trustees of Haverford State Hospital,  
 Board of Trustees of Ashland State General Hospital,  
 Board of Trustees of Blossburg State General Hospital,  
 Board of Trustees of Coaldale State General Hospital,  
 Board of Trustees of Connellsville State General Hospital,  
 Board of Trustees of Dixmont State Hospital,  
 Board of Trustees of Hazleton State General Hospital,  
 Board of Trustees of Locust Mountain State General Hospital,  
 Board of Trustees of Nanticoke State General Hospital,  
 Board of Trustees of Philipsburg State General Hospital,  
 Board of Trustees of Scranton State General Hospital,  
 Board of Trustees of Shamokin State General Hospital,  
*Board of Trustees of Cresson State School and Hospital,*  
 Board of Trustees of Ebensburg State School and Hospital,  
 Board of Trustees of Eastern State School and Hospital,  
 Board of Trustees of Laurelton State School and Hospital,  
 Board of Trustees of Pennhurst State School and Hospital,  
 Board of Trustees of Polk State School and Hospital,  
*Board of Trustees of Selinsgrove State School and Hospital,*  
 Board of Trustees of Hamburg State School and Hospital,  
 Board of Trustees of Western State School and Hospital,  
 Board of Trustees of White Haven State School and Hospital,  
 Board of Trustees of Eastern Mental Health Center,  
**[Board of Trustees of Western Mental Health Center,]**  
 Board of Trustees of Western **[Geriatric] Restoration**  
 Centers,  
 Board of Trustees of Central **[Geriatric] Restoration**  
 Centers,  
 Board of Trustees of Eastern **[Geriatric] Restoration**  
 Centers.

\* \* \*

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided by this act.

Section 2. As much as applies to the Department of Public Welfare of section 203, amended December 21, 1959 (P.L.1944), is amended to read:

Section 203. Advisory Boards and Commissions.—The following

advisory boards and commissions are placed in and made parts of the respective administrative departments, as follows:

\* \* \*

In the Department of Public Welfare,  
 State Board of Public Welfare,  
 Advisory Committee for the Aging,  
 Advisory Committee for the Blind,  
 Advisory Committee for General and Special Hospitals,  
 Advisory Committee for Children and Youth,  
 Advisory Committee for Public Assistance,  
 Advisory Committee for Mental Health *and Mental  
 Retardation.*

\* \* \*

Section 3. Section 401 of the act, amended June 19, 1964 (P.L.77), is amended to read:

Section 401. Boards of Trustees of State Institutions.—The boards of trustees of each of the State institutions hereinafter mentioned shall consist of nine members, and the head of the department having supervision over the institution ex officio.

The terms of each member of each such board shall be six years, and until his successor is appointed and qualified.

The terms of the first three members of all boards, the members of which now serve for terms of four years, appointed by the Governor on or after the third Tuesday of January, 1959, shall expire on the third Tuesday of January, 1961. The terms of the next three members appointed shall expire on the third Tuesday of January, 1963. The terms of the next three members appointed shall expire on the third Tuesday of January, 1965. Their successors and all members of all boards, appointed to succeed members who have served six year terms, shall be appointed for terms of six years from the date of the expiration of the preceding term. Vacancies happening before the expiration of a term shall be filled for the unexpired term.

Five members of any such board shall constitute a quorum.

Each such board shall annually elect a president and vice-president from among its members, and a secretary and treasurer who need not be members of the board. The secretary and treasurer may be the same person.

This section shall apply to:

Board of Trustees of Thaddeus Stevens Trade School,  
 Board of Trustees of Pennsylvania State Oral School for  
 the Deaf,  
 Board of Trustees of Scotland School for Veterans' Children,  
 Board of Trustees of West Chester State College,

Board of Trustees of Millersville State College,  
Board of Trustees of Kutztown State College,  
Board of Trustees of East Stroudsburg State College,  
Board of Trustees of Mansfield State College,  
Board of Trustees of Bloomsburg State College,  
Board of Trustees of Shippensburg State College,  
Board of Trustees of Lock Haven State College,  
Board of Trustees of Indiana State College,  
Board of Trustees of California State College,  
Board of Trustees of Slippery Rock State College,  
Board of Trustees of Edinboro State College,  
Board of Trustees of Clarion State College,  
Board of Trustees of Cheyney State College,  
Board of Trustees of Pennsylvania Soldiers' and Sailors'  
Home,  
Board of Trustees of State Industrial Home for Women,  
Board of Trustees of the Western Youth Development Centers,  
Board of Trustees of the Central Youth Development Centers,  
Board of Trustees of the Eastern Youth Development Centers,  
Board of Trustees of Allentown State Hospital,  
Board of Trustees of Clarks Summit State Hospital,  
Board of Trustees of Danville State Hospital,  
Board of Trustees of Embreeville State Hospital,  
*Board of Trustees of Eastern Pennsylvania Psychiatric  
Institute,*  
Board of Trustees of Farview State Hospital,  
Board of Trustees of Harrisburg State Hospital,  
Board of Trustees of Hollidaysburg State Hospital,  
Board of Trustees of Mayview State Hospital,  
Board of Trustees of Norristown State Hospital,  
Board of Trustees of Philadelphia State Hospital,  
Board of Trustees of Retreat State Hospital,  
Board of Trustees of Somerset State Hospital,  
Board of Trustees of Warren State Hospital,  
Board of Trustees of Wernersville State Hospital,  
Board of Trustees of Woodville State Hospital,  
Board of Trustees of Torrance State Hospital,  
Board of Trustees of Haverford State Hospital,  
Board of Trustees of Ashland State General Hospital,  
Board of Trustees of Blossburg State General Hospital,  
Board of Trustees of Coaldale State General Hospital,  
Board of Trustees of Connellsville State General Hospital,  
Board of Trustees of Dixmont State Hospital,  
Board of Trustees of Hazleton State General Hospital,  
Board of Trustees of Locust Mountain State General Hospital,

Board of Trustees of Nanticoke State General Hospital,  
 Board of Trustees of Philipsburg State General Hospital,  
 Board of Trustees of Scranton State General Hospital,  
 Board of Trustees of Shamokin State General Hospital,  
***Board of Trustees of Cresson State School and Hospital,***  
 Board of Trustees of Ebensburg State School and Hospital,  
 Board of Trustees of Eastern State School and Hospital,  
 Board of Trustees of Laurelton State School and Hospital,  
 Board of Trustees of Pennhurst State School and Hospital,  
 Board of Trustees of Polk State School and Hospital,  
 Board of Trustees of Selinsgrove State School and Hospital,  
 Board of Trustees of Hamburg State School and Hospital,  
 Board of Trustees of Western State School and Hospital,  
 Board of Trustees of White Haven State School and Hospital,  
 Board of Trustees of Eastern Mental Health Center,  
**[Board of Trustees of Western Mental Health Center,]**  
 Board of Trustees of the Western **[Geriatric] Restoration**  
 Centers,  
 Board of Trustees of the Central **[Geriatric] Restoration**  
 Centers,  
 Board of Trustees of the Eastern **[Geriatric] Restoration**  
 Centers.

Section 4. Clause (l) of section 448 and section 2328 of the act, added December 21, 1959 (P.L.1944), are amended to read:

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

\* \* \*

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

Each advisory committee shall consist of the Commissioner in the Department of Public Welfare, directing the program to which the advisory committee is attached, as an ex officio member, and not less than three (3) nor more than nine (9) members-appointed by the Governor. ***In the case of the Advisory Committee for Mental Health and Mental Retardation, the committee shall include the Chairman of the Public Health and Welfare Committee of the Senate, the Chairman of the Health and Welfare Committee of the House of Representatives and the President of the Pennsylvania State Association of County***

**Commissioners or his alternate.** The exact number of members of each advisory committee shall be determined by the Governor upon recommendation of the State Board of Public Welfare. The qualifications of the members of each advisory committee shall also be determined by the Governor upon recommendation of the State Board of Public Welfare: Provided, That with respect to each advisory committee, the Governor shall appoint members with due regard for representation of the professional and lay groups concerned with the fields of interest served by the program to which each advisory committee is attached. The term of office of each member of each advisory committee, except as herein otherwise provided, shall be six (6) years.

The original appointment of the members of the advisory committee shall be for overlapping terms of six (6), four (4) and two (2) years. In making these original appointments, the Governor shall, in so far as possible, appoint approximately one-third (1/3) of the recommended complement of each advisory board to each of the overlapping terms.

A majority of the members of each advisory committee shall constitute a quorum. Each advisory committee shall elect a chairman from among its members. Each advisory committee shall meet at least four (4) times a year. Special meetings of each advisory committee shall be held on call of the chairman, and it shall be the duty of the chairman to call a special meeting upon the written request of one-third (1/3) or more of the members not including vacancies of the advisory committee.

The provisions of clause (k) of this section with respect to filling of vacancies, removal of members, length of service, political party office and compensation shall be applicable to advisory committee members, and are incorporated herein by reference.

\* \* \*

Section 2328. Powers and Duties of Advisory Committees.—The Advisory Committee for the Aging, the Advisory Committee for the Blind, the Advisory Committee for General and Special Hospitals, the Advisory Committee for Children and Youth, the Advisory Committee for Public Assistance and the Advisory Committee for Mental Health *and Mental Retardation*, shall, concerning matters within their respective special fields of interest, have the power and their duty shall be:

(a) To advise the appropriate major program unit of the Department of Public Welfare. This advice shall include, but shall not be limited to, such matters as standards of eligibility, nature and extent of service, amounts of payments to individuals, standards of approval, certification and licensure of institutions and agencies, ways and means of coordinating public and private welfare activities, and such other matters as may, by law, require citizen review or may be referred to the committees by the departmental units advised by them; and the Advisory Committee for Mental Health *and Mental Retardation* shall also have the power and duty to advise the Governor and the Secretary of Public Welfare with

regard to the appointment of the Commissioner of Mental Health.

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

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

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

APPROVED—The 9th day of July, A. D. 1970.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly No. 161.

A handwritten signature in black ink, appearing to read "Raymond P. Shafer". The signature is written in a cursive style with a large initial "R" and "S".

Secretary of the Commonwealth.