

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1651 Session of
2023

INTRODUCED BY WENTLING, PICKETT AND M. JONES, AUGUST 30, 2023

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, AUGUST 30, 2023

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 Department of Community and Economic Development;
17 in restructuring of certain administrative entities,
18 providing for State Apprenticeship and Training Council; in
19 restructuring of certain memberships and participation,
20 providing for membership on State Apprenticeship and Training
21 Council; and making a repeal.

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

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

27 Section 302.1. Transfers from Department of Labor and Industry
28 and Department of Human Services.

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

4 (1) The duties of the Commonwealth under 29 U.S.C. §§
5 3161 (relating to general authorization), 3162 (relating to
6 State allotments), 3163 (relating to within State
7 allocations), 3164 (relating to use of funds for youth
8 workforce investment activities), 3171 (relating to general
9 authorization), 3172 (relating to State allotments), 3173
10 (relating to within State allocations) and 3174 (relating to
11 use of funds for employment and training activities).

12 (2) The duties of the Commonwealth under 29 U.S.C. §§ 49
13 (relating to United States Employment Service established),
14 49a (relating to definitions), 49b (relating to duties of
15 Secretary), 49c (relating to acceptance by States; creation
16 of State agencies), 49d (relating to appropriations;
17 certification for payment to States), 49e (relating to
18 allotment of funds), 49f (relating to percentage disposition
19 of allotted funds), 49g (relating to State plans), 49h
20 (relating to fiscal controls and accounting procedures), 49i
21 (relating to recordkeeping and accountability), 49j (relating
22 to notice of strikes and lockouts to applicants), 49k
23 (relating to rules and regulations) and 49l (relating to
24 miscellaneous operating authorities).

25 (3) The duties of the Commonwealth under 29 U.S.C. Ch.
26 23 (relating to worker adjustment and retraining
27 notification).

28 (4) The duties of the Commonwealth under 19 U.S.C. §§
29 2295 (relating to employment and case management services),
30 2295a (relating to limitations on administrative expenses and

1 employment and case management services), 2296 (relating to
2 training), 2297 (relating to job search allowances) and 2298
3 (relating to relocation allowances).

4 (5) The duties under section 2599.4 of the act of March
5 10, 1949 (P.L.30, No.14), known as the Public School Code of
6 1949.

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

9 (7) The duties under Chapter 13 of the act of December
10 18, 2001 (P.L.949, No.114), known as the Workforce
11 Development Act.

12 (8) The Apprenticeship and Training Office.

13 (9) The Center for Workforce Information and Analysis.

14 (10) The Commonwealth Workforce Development System.

15 (11) The New Choices/New Options program.

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

19 (1) Employment and training programs funded under 42
20 U.S.C. Ch. 7 Subch. IV Pt. A (relating to block grants to
21 states for temporary assistance for needy families).

22 (2) Employment and training programs under 7 U.S.C. §
23 2015(d)(4) (relating to eligibility disqualifications).

24 (3) The Keystone Education Yields Success (KEYS) Program
25 established under section 405.1B of the act of June 13, 1967
26 (P.L.31, No.21), known as the Human Services Code.

27 (c) Functions to be consolidated.--

28 (1) The functions transferred to the department under
29 subsections (a) and (b) shall be consolidated with similar
30 functions of the department within the department into the

1 division, section or other organizational entity devoted to
2 workforce development.

3 (2) The Governor shall appoint a Deputy Secretary for
4 Workforce Development, who shall have the powers and perform
5 the functions and duties transferred to the department under
6 subsections (a) and (b) and other functions and duties
7 authorized by the Governor.

8 (d) Office of Vocational Rehabilitation.--The department and
9 the Department of Labor and Industry shall enter into a
10 memorandum of understanding under which the services provided
11 under 29 U.S.C. Ch. 16 Subch. I (relating to vocational
12 rehabilitation services), other than 29 U.S.C. § 732 (relating
13 to client assistance program) or 741 (relating to vocational
14 rehabilitation services grants) that relate to vocational
15 rehabilitation services are, to the maximum extent practicable,
16 provided by the department.

17 (e) Documentation required for Federal programs.--The
18 department shall provide any necessary data, documentation or
19 verification needed by the Department of Labor and Industry or
20 the Department of Human Services which may be necessary to
21 effectuate the transfers under subsections (a) and (b).

22 Section 903. State Apprenticeship and Training Council.

23 The State Apprenticeship and Training Council as provided for
24 in section 3 of the act of July 14, 1961 (P.L.604, No.304),
25 known as The Apprenticeship and Training Act, is placed in and
26 made a departmental board of the Department of Community and
27 Economic Development.

28 Section 1111. Membership on State Apprenticeship and Training
29 Council.

30 In place of the membership of the Deputy Secretary of the

1 Department of Labor and Industry on the State Apprenticeship and
2 Training Council under section 3 of the act of July 14, 1961
3 (P.L.604, No.304), known as The Apprenticeship and Training Act,
4 the Deputy Secretary for Workforce Development shall serve as an
5 ex officio member of the council but shall not be entitled to
6 vote, except that in the event of a tie vote, the Deputy
7 Secretary for Workforce Development shall have the right to cast
8 the tie-breaking vote.

9 Section 2. Section 3 of the act of July 14, 1961 (P.L.604,
10 No.304), known as The Apprenticeship and Training Act, is
11 repealed to the extent that it is inconsistent with the addition
12 of sections 302.1, 903 and 1111 of the act.

13 Section 3. This act shall take effect in 180 days.