

and without charge therefor. Said investigation shall be made by the board so far as may be practicable while the case is recent, and in granting paroles the board shall consider the nature and character of the offense committed and any recommendation made by the trial judge as well as the general character and history of the prisoner.

The board shall, in all cases, consider the recommendations of the trial judge and of the district attorney and of each warden or superintendent, as the case may be, who has had charge of an applicant, each of whom is directed to submit to the board his recommendation and the reasons therefor, with respect to each parole application.

Section 11. This act shall not repeal or supersede any provision of the civil service law.

Section 12. The amendment in section 8 of this act shall take effect on a date designated by the Governor in a proclamation declaring the availability of personnel for the increased case load resulting from this amendment. The provisions of section 2 of this act shall take effect July 1, 1967.

The remaining sections of this act shall take effect immediately.

APPROVED—The 27th day of December, A. D. 1965.

WILLIAM W. SCRANTON

No. 502

AN ACT

SB 678

Establishing regional correctional facilities administered by the Bureau of Correction as part of the State correctional system; establishing standards for county jails, and providing for inspection and classification of county jails and for commitment to State correctional facilities and county jails.

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

Section 1. There are hereby established regional correctional facilities distributed geographically throughout the State for the treatment and rehabilitation of prisoners.

Section 2. (a) The Department of Justice, with the approval of the Governor and the county commissioners involved, may acquire by purchase or lease any county workhouse or ¹jail.

¹“jails” in original.

(b) The Department of Justice, with the approval of the Governor, may select for acquisition, either by the Department of Property and Supplies or by The General State Authority with funds of the Authority, tracts of land suitable for the construction of regional correctional facilities thereon. The title to the lands so acquired shall be approved by the Attorney General.

(c) Upon the acquisition of such tracts of land in the name of the Commonwealth, the Department of Property and Supplies shall have authority to convey the same to The General State Authority for the purpose of having such Authority erect and construct thereon regional correctional facilities.

(d) The Department of Property and Supplies, with the approval of the Governor, is hereby authorized to enter into a lease with The General State Authority to acquire the use of the regional correctional facilities and any tracts of land in connection therewith.

Section 3. The Department of Justice shall have the power and its duty shall be:

- (1) To operate and manage regional correctional facilities;
- (2) To provide for the treatment, care, maintenance, employment and rehabilitation of inmates of regional correctional facilities;
- (3) To establish standards for county jails and prisons including standards for physical facilities and standards for correctional programs of treatment, education and rehabilitation of inmates; and
- (4) To inspect county jails and to classify them in accordance with standards adopted under clause (3) of this section as eligible to receive prisoners sentenced to maximum terms of six months or more but less than five years.

Section 4. On and after the date established in subsection (b) of section 6 of this act, (1) all persons sentenced to maximum terms of five or more years shall be committed to the Bureau of Correction for confinement in a State correctional facility; and (2) all persons sentenced to ¹a maximum term of six months or more but less than five years may be committed to the Bureau of Correction for confinement in a State correctional facility or may be committed to a county jail approved by the Bureau of Correction.

Section 5. The following acts or parts of acts are repealed to the extent specified:

- (1) Act of February 1, 1839 (P. L. 10), entitled "An act relating to the Prison of the County of Chester," in so far as inconsistent herewith.

¹"a" not in original.

(2) Act of April 15, 1841 (P. L. 189), entitled "An act relative to the Dauphin County Prison," in so far as inconsistent herewith.

(3) Act of February 8, 1842 (P. L. 12), entitled "A supplement to an act entitled 'An act relating to the prison of the county of Chester,' approved February first, one thousand eight hundred and thirty-nine, and relative to the Dauphin county prison," in so far as inconsistent herewith.

(4) Act of February 26, 1844 (P. L. 54), entitled "A supplement to the act, entitled 'An Act relating to the prison of the county of Chester,' passed the first day of February, one thousand eight hundred and thirty-nine," in so far as inconsistent herewith.

(5) Act of April 17, 1846 (P. L. 361), entitled "A further supplement to an act, entitled 'An Act relating to the prison of the county of Chester,' approved the first day of February, Anno Domini one thousand eight hundred and thirty-nine," in so far as inconsistent herewith.

(6) Act of April 8, 1848 (P. L. 399), entitled "An act relative to the Berks county prison, and to discharged convicts," absolutely.

(7) Act of April 8, 1851 (P. L. 388), entitled, "An act for the regulation and government of the Montgomery County Prison, to incorporate the Catfish, Brady's Bend, and Butler Plank Road Company, and in relation to the Easton Water Company," in so far as inconsistent herewith.

(8) Act of April 1, 1852 (P. L. 211), entitled "An act relative to the Schuylkill county prison, and to discharged convicts; to the election of school directors, councilmen, town clerk, and to the appointment of an auctioneer in the borough of Pottsville; to the divisions of the borough of Minersville into wards; and relative to the road laws in Frailey township, in the county aforesaid," in so far as inconsistent herewith.

(9) Act of February 4, 1856 (P. L. 21), entitled "A supplement to an act, entitled 'An Act for the Regulation and Government of the Montgomery County Prison; to incorporate the Catfish, Brady's Bend, and Butler Plank Road Company, and in relation to the Easton Water Company,' approved the twenty-eighth day of April, one thousand eight hundred and fifty-one," in so far as inconsistent herewith.

(10) Act of March 28, 1857 (P. L. 134), entitled "A further supplement to an act, entitled 'An act relating to the Prison of the county of Chester,' approved the first day of February, A. D. one thousand eight hundred and thirty-nine," in so far as inconsistent herewith.

(11) Act of March 16, 1866 (P. L. 200), entitled "A further supplement to an act for the regulation and government of the Montgomery County prison, approved the eighth day of April, Anno Domini one

thousand eight hundred and fifty-one," in so far as inconsistent herewith.

(12) Act of April 11, 1866 (P. L. 588), entitled "An act relating to the prison of the county of Delaware," in so far as inconsistent herewith.

(13) Act of April 12, 1866 (P. L. 865), entitled "A supplement to an act relating ¹ to the Dauphin county prison, and relating to inspectors therein," in so far as inconsistent herewith.

(14) Act of April 13, 1868 (P. L. 917), entitled "An act relative to the Luzerne county prison, and to ² discharged convicts," in so far as inconsistent herewith.

(15) Act of April 6, 1869 (P. L. 716), entitled "An act for the regulation and government of the Lehigh county prison," in so far as inconsistent herewith.

(16) Act of April 9, 1870 (P. L. 1121), entitled "A supplement to an act, entitled 'An Act for the regulation and government of the Lehigh county prison,' approved the sixth day of April, one thousand eight hundred and sixty-nine," in so far as inconsistent herewith.

(17) Act of March 22, 1871 (P. L. 435), entitled "A supplement to an act, entitled 'An Act relating to the prison of the county of Delaware,' approved the eleventh day of April, Anno Domini one thousand eight hundred and sixty-six," in so far as inconsistent herewith.

(18) Act of May 10, 1871 (P. L. 706), entitled "An act for the regulation and government of the Northampton county prison," in so far as inconsistent herewith.

(19) Act of June 6, 1871 (P. L. 1354), entitled "A supplement to an act relative to the Luzerne county prison and to discharged convicts, approved thirteenth April, Anno Domini one thousand eight hundred and sixty-eight," in so far as inconsistent herewith.

(20) Act of April 3, 1873 (P. L. 507), entitled "A further supplement to an act, entitled 'An Act relative to the Luzerne county prison and to discharged convicts,' approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-eight further defining the duties of the warden of said prison and sheriff of said county, and fixing certain fees of the sheriff of said county," in so far as inconsistent herewith.

(21) Act of April 4, 1878 (P. L. 10), entitled "An act relative to the prison of Northumberland county," in so far as inconsistent herewith.

(22) Act of April 17, 1878 (P. L. 26), entitled "A supplement to an act, entitled 'An act for the regulation and government of the Northampton county prison,' approved the tenth day of May, Anno Domini one

¹ "to" not in original.

² "discharge" in original.

thousand eight hundred and seventy-one," in so far as inconsistent herewith.

(23) Act of September 29, 1951 (P. L. 1628), entitled "An act providing for an expense allowance for members of the board of inspectors of the Berks County Prison," absolutely.

Section 6. (a) Sections 1, 2 and 3 of this act shall take effect immediately.

(b) Section 4 of this act shall take effect as facilities become available on dates and in areas designated by the Governor in proclamations declaring the availability of State correctional facilities.

(c) The clauses of section 5 of this act shall take effect after the respective dates established in subsection (b) of this section.

APPROVED—The 27th day of December, A. D. 1965.

WILLIAM W. SCRANTON

No. 503

AN ACT

SB 686

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," imposing additional duties on the Commissioner of Mental Health.

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

Section 1. Section 2313.1, act of April 9, 1929 (P. L. 177), known as "The Administrative Code of 1929," amended July 13, 1957 (P. L. 852), is amended to read:

Section 2313.1. Commissioner of Mental Health.—The Secretary of Public Welfare shall appoint, with the approval of the Governor, a Deputy Secretary who shall have the title of Commissioner of Mental Health and who shall be a psychiatrist with at least seven years' training