

No. 2001-108

AN ACT

HB 476

Amending the act of August 6, 1941 (P.L.861, No.323), entitled, as amended, "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; providing state probation services; establishing the 'Pennsylvania Board of Probation and Parole'; conferring and defining its jurisdiction, duties, powers and functions; including the supervision of persons placed upon probation and parole in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts for purposes of probation and parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," further providing for membership of an advisory committee.

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

Section 1. Section 16.1 of the act of August 6, 1941 (P.L.861, No.323), referred to as the Pennsylvania Board of Probation and Parole Law, amended October 9, 1986 (P.L.1424, No.134), is amended to read:

Section 16.1. (a) An Advisory Committee on probation is hereby created to assist the board. It shall consist of nine members, seven of whom shall be appointed by the Governor, with the consent of a majority of all the members of the Senate. At least two shall be judges of courts of record of this Commonwealth, at least one shall be a county commissioner, *at least one shall be a chief county probation officer*, and the remaining members shall be qualified in the field of probation and parole either by training or experience. The President pro tempore of the Senate and the Speaker of the House of Representatives shall each appoint a member of their respective houses to serve as members of the committee. The term of a member hereafter appointed, except to fill a vacancy, shall be for four years and until their successors have been appointed and qualified, but in no event more than ninety days beyond the expiration of their appointed term: Provided, however, That the terms of members of the committee who are appointed by virtue of holding an office as a member of the General Assembly, as a judge, or as a county commissioner shall continue only so long as he remains in that office. Vacancies occurring in an office of a member of the Advisory Committee by expiration of term, death, resignation, removal or for any other reason shall be filled in the manner provided by section 8 of Article IV of the Constitution of Pennsylvania for the remainder of the term. Whenever the term of an Advisory Committee member, other than one who is a member of the General Assembly, expires, that member's position shall be immediately deemed a vacancy and the Governor shall nominate a person to fill that membership position on the committee within ninety days

of the date of expiration, even if the member continues to remain on the committee. The Governor shall designate one of the members of the committee as its chairman.

(b) Each member of the Advisory Committee shall be paid all reasonable and necessary travel and other expenses incurred by him in the performance of his duties.

(c) The Advisory Committee shall aid the chairman and the board in formulating and reviewing standards for probation personnel and probation services in the counties.

Section 2. This act shall take effect in 60 days.

APPROVED—The 17th day of December, A.D. 2001.

MARK S. SCHWEIKER