

No. 1986-38

## AN ACT

HB 2200

Amending the act of November 22, 1978 (P.L.1166, No.274), entitled "An act establishing the Pennsylvania Commission on Crime and Delinquency, providing for its powers and duties establishing several advisory committees within the commission and providing for their powers and duties," adding a definition; further providing for the membership, powers and duties of the Pennsylvania Commission on Crime and Delinquency; reestablishing the Pennsylvania Commission on Crime and Delinquency; and making an editorial change.

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

Section 1. Section 1 of the act of November 22, 1978 (P.L.1166, No.274), referred to as the Pennsylvania Commission on Crime and Delinquency Law, is amended to read:

Section 1. Definitions.

The following words and phrases when used in this act shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

"Commission." The Pennsylvania Commission on Crime and Delinquency.

"*Private citizen.*" *An individual who is not an elected or appointed official in a branch of government of the United States, the Commonwealth or a political subdivision.*

Section 2. Section 2(b) and (e) of the act, amended December 17, 1981 (P.L.429, No.134), are amended to read:

Section 2. Pennsylvania Commission on Crime and Delinquency.

\* \* \*

(b) Composition.—The commission shall consist of the following members:

- (1) The Attorney General.
- (2) The Chief Justice of Pennsylvania.
- (3) The Court Administrator of Pennsylvania.
- (4) A judge of a court of common pleas.
- (5) Commissioner of State Police.
- (6) The chairmen of the House and Senate Majority Appropriations Committees.
- (7) The chairman of the Juvenile Advisory Committee.
- (8) Four members of the General Assembly, of whom one shall be designated by, and serve at the pleasure of the President pro tempore of the Senate, one by the Minority Leader of the Senate, one by the Speaker of the House of Representatives and one by the Minority Leader of the House of Representatives.

(9) Four members appointed by the Governor, one representative of local law enforcement agencies, one representative of adult correctional rehabilitative agencies, one representative of local elected officials and one district attorney representative.

(10) Seven private citizens appointed by the Governor, at least two of which serve on the Juvenile Advisory Committee.

(11) **[Commissioner of Correction]** *Secretary of Corrections*.

(12) Such additional members appointed by the Governor as are necessary **[to comply with the requirements of]** *to implement programs authorized by State and Federal law.*

\* \* \*

(e) Vacancies.—Should any member cease to be an officer or employee of the agency he is appointed to represent *or cease to be a private citizen*, his membership on the commission shall terminate immediately and a new member shall be appointed in the same manner as his predecessor to fill the unexpired portion of a term. Other vacancies occurring, except those by the expiration of a term, shall be filled for the balance of the unexpired term in the same manner as the original appointment.

\* \* \*

Section 3. Section 3(1) of the act is amended to read:

Section 3. Powers and duties of the commission.

The commission shall have the power and its duty shall be:

(1) To prepare and periodically update a comprehensive juvenile **[and criminal]** justice plan on behalf of the Commonwealth based on an analysis of the Commonwealth's **[criminal justice]** needs and problems, including juvenile **[justice and]** delinquency prevention.

\* \* \*

Section 4. Section 4(7) of the act, amended December 17, 1981 (P.L.429, No.134), is amended to read:

Section 4. Duties of the commission relative to criminal statistics.

The commission shall have the power and its duty shall be:

\* \* \*

(7) To present to the Governor and the members of the General Assembly each year a report containing the criminal statistics of the preceding calendar year and to present at such other times as the commission deems necessary reports on the special aspects of criminal and juvenile statistics. *This report need not duplicate information contained in reports of other administrative agencies unless a specific purpose exists.*

\* \* \*

Section 5. This act, with respect to the Pennsylvania Commission on Crime and Delinquency, constitutes the legislation required to reestablish an agency under the act of December 22, 1981 (P.L.508, No.142), known as the Sunset Act.

Section 6. The members of the Pennsylvania Commission on Crime and Delinquency, as of the effective date of this act, shall continue to serve as commission members until their present terms of office expire, provided that any present commission member whose term has expired on or before the

effective date of this act shall serve until a successor has been appointed and qualified, but no longer than six months after the effective date of this act.

Section 7. Each rule and regulation of the Pennsylvania Commission on Crime and Delinquency in effect on the effective date of this act and not inconsistent with this act shall remain in effect after such date until repealed or amended by the commission, provided that the commission shall immediately initiate the repeal or amendment of any rule or regulation which is inconsistent with the provisions of this act.

Section 8. This act shall take effect May 1, 1986, or immediately, whichever is later.

APPROVED—The 30th day of April, A. D. 1986.

DICK THORNBURGH