

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1333

Session of
1977

INTRODUCED BY MESSRS. RHODES, SCIRICA, BERSON, IRVIS, DOYLE,
PRATT, DeMEDIO, MILLER, BITTINGER, KATZ, D. S. HAYES,
HOPKINS, D. M. FISHER, SPENCER, WHITE, RICHARDSON, HOFFFEL
AND WILLIAMS, JUNE 15, 1977

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
SEPTEMBER 27, 1978

AN ACT

1 Establishing the Pennsylvania Commission on Crime and
2 Delinquency, providing for its powers and duties establishing
3 several advisory committees within the commission and
4 providing for their powers and duties.

5 The General Assembly finds and declares that:

6 (a) crime and delinquency are essentially State and local
7 problems;

8 (b) crime and delinquency are complex social phenomena
9 requiring the attention and efforts of the criminal justice
10 system, State and local governments, and private citizens alike;

11 (c) the establishment of appropriate goals, objectives and
12 standards for the reduction of crime and delinquency and for the
13 administration of justice must be a priority concern;

14 (d) the functions of the criminal justice system must be
15 coordinated more efficiently and effectively;

16 (e) the full and effective use of resources affecting State
17 and local criminal justice systems requires the complete

1 cooperation of State and local government agencies; and
2 (f) training, research, evaluation, technical assistance and
3 public education activities must be encouraged and focused on
4 the improvement of the criminal justice system and the
5 generation of new methods for the prevention and reduction of
6 crime and delinquency.

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

9 Section 1. Definitions.

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

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

15 Section 2. Pennsylvania Commission on Crime and Delinquency.

16 (a) Establishment.--There is hereby established the
17 Pennsylvania Commission on Crime and Delinquency as an
18 administrative commission in the Governor's Office.

19 (b) Composition.--The commission shall consist of ~~18~~ THE
20 FOLLOWING members: ~~as follows:~~

21 (1) The Attorney General.

22 (2) The Chief Justice of the Supreme Court of
23 Pennsylvania.

24 (3) The Court Administrator of Pennsylvania.

25 (4) A judge of a court of common pleas.

26 (5) Commissioner of State Police.

27 (6) The chairmen of the House and Senate Majority
28 Appropriations Committees.

29 (7) THE CHAIRMAN OF THE JUVENILE ADVISORY COMMITTEE.

30 ~~(7)~~ (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.

~~(8) Five~~ (9) FOUR members appointed by the Governor, one representative of local law enforcement agencies, ~~one representative of juvenile correctional or rehabilitative agencies which shall also serve as Chairman of the Juvenile Advisory Committee~~ and one representative of adult correctional rehabilitative agencies, one representative of local elected officials and one district attorney representative.

~~(9)~~ (10) Seven private citizens appointed by the Governor, at least two of which serve on the Juvenile Advisory Committee.

(11) SUCH ADDITIONAL MEMBERS NECESSARY TO COMPLY WITH THE REQUIREMENTS OF FEDERAL LAW.

(c) Judicial appointment.--The judge of a court of common pleas ~~and the district justice or municipal court judge~~ shall be appointed by the Governor from a list of no less than three nominees for each position submitted by the Chief Justice. If the Chief Justice cannot or does not choose to serve, an Associate Justice of the Supreme Court of Pennsylvania shall be appointed by the Governor from a list of no less than three nominees submitted by the Chief Justice. If the Court Administrator cannot or does not choose to serve, another appropriate judicial administrative officer of the State shall be appointed by the Governor from a list of no less than three nominees submitted by the Chief Justice.

1 (d) Term of office.--Except for the Chief Justice of the
2 Supreme Court AND COURT ADMINISTRATOR OF PENNSYLVANIA COURTS AND <—
3 COMMISSIONER OF THE PENNSYLVANIA STATE POLICE members shall
4 serve for a four-year term, and may be appointed for no more
5 than one additional consecutive term. The terms of those members
6 who serve by virtue of the public office they hold shall be
7 concurrent with their service in the office from which they
8 derive their membership.

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

17 ~~(f) Initial appointments. Of the members first appointed by <—~~
18 ~~the Governor after the effective date of this act, one half~~
19 ~~shall serve for a term of two years, one quarter shall serve for~~
20 ~~a term of three years, and one quarter shall serve for a term of~~
21 ~~four years; provided that a member appointed to succeed another~~
22 ~~member whose term has not expired shall be appointed for the~~
23 ~~period of the unexpired term, and subsequently may be appointed~~
24 ~~for a four year term.~~

25 ~~(g)~~ (F) Chairman.--The chairman shall be chosen from among <—
26 ~~the members by a majority of the commission~~ BY THE GOVERNOR and <—
27 ~~shall serve a two year term.~~ AT THE PLEASURE OF THE GOVERNOR. A <—
28 vice chairman shall be designated by the chairman and shall
29 preside at meetings in the absence of the chairman.

30 ~~(h)~~ (G) Quorum.--Ten TWELVE members shall constitute a <—

1 quorum and a vote of the majority of the members present shall
2 be sufficient for all actions.

3 ~~(i)~~ (H) Termination of appointment.--Three consecutive <—
4 unexcused absences from regular monthly meetings, except for
5 temporary illness, or failure to attend at least 50% of the
6 regularly called meetings in any calendar year shall be
7 considered cause for termination of appointment.

8 ~~(j)~~ (I) Compensation and expenses.--Members who are not <—
9 Commonwealth officers or State, county, or municipal employees
10 shall be paid \$75 a day for attendance at any official meeting.
11 Reasonable expenses incurred by members shall be allowed and
12 paid upon the presentation of itemized vouchers therefor.

13 ~~(k)~~ (J) Executive director.--An executive director shall be <—
14 appointed by the chairman upon the advice and consent of a <—
15 majority of the members. The executive director and associate
16 directors shall be paid such compensation as the commission may
17 determine. GOVERNOR AFTER CONSULTATION WITH THE MEMBERS OF THE <—
18 COMMISSION. THE EXECUTIVE DIRECTOR SHALL BE PAID SUCH
19 COMPENSATION AS THE EXECUTIVE BOARD MAY DETERMINE.

20 ~~(l)~~ (K) Employees.--The executive director may employ such <—
21 personnel and contract for such consulting services as may be
22 necessary and authorized to carry out the purposes of this act.
23 The executive director shall appoint the deputy directors upon <—
24 the advice and consent of a majority of the advisory committee
25 members. Except for personnel employed at the regional level for
26 performing duties for the regions of the Governor's Justice
27 Commission on the effective date of this act who shall not be
28 subject to the provisions of the act of August 5, 1941 (P.L.752,
29 No.286), all other personnel employed for the purposes of
30 carrying out the duties prescribed in this act for advisory

~~1 committees shall be appointed with the consent of the associate~~
~~2 directors for those committees. Staff other than the executive~~
~~3 director, and associate directors for the advisory committees,~~
4 STAFF OF THE COMMISSION, OTHER THAN THE EXECUTIVE DIRECTOR, <—
5 shall be employed in accordance with and subject to the
6 provisions of the act of August 5, 1941 (P.L.752, No.286), known
7 as the "Civil Service Act."

8 ~~(m)~~ (L) Advisory committees.--The commission may establish <—
9 such advisory committees, in addition to those provided for in
10 this act, as it deems advisable but only the commission may set
11 policy or take other official action. Members of advisory
12 committees shall serve without compensation but may be
13 reimbursed for necessary travel and other expenses in accordance
14 with applicable law and regulations.

15 ~~(n)~~ (M) Meetings.--All meetings of the commission and of its <—
16 advisory committees, at which formal action is taken, shall
17 conform to the act of July 19, 1974 (P.L.486, No.175), referred
18 to as the Public Agency Open Meeting Law.

19 ~~(o)~~ (N) Records.--The commission and any advisory committee <—
20 established for the purposes of this act shall provide for
21 public access to all records relating to its functions under
22 this act, except such records as are required to be kept
23 confidential by any provision of State or Federal law.

24 ~~(p)~~ (O) State Planning Agency.--The commission is hereby <—
25 designated as the State Planning Agency for the purposes of the
26 Omnibus Crime Control and Safe Streets Act of 1968 (Public Law
27 90-351), as amended, and the Juvenile Justice and Delinquency
28 Prevention Act of 1974 (Public Law 93-415), as amended.

29 Section 3. Powers and duties of the commission.

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

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

6 (2) To apply for, contract for, receive, allocate,
7 disburse and account for funds, grants-in-aid, grants of
8 services and property, real and personal, particularly those
9 funds made available pursuant to the Omnibus Crime Control
10 and Safe Streets Act of 1968 (Public Law 90-351), as amended,
11 and the Juvenile Justice and Delinquency Prevention Act of
12 1974 (Public Law 93-415), as amended.

13 (3) To receive applications for financial assistance
14 from State agencies, units of general local government and
15 combinations thereof, private nonprofit organizations and
16 other proper applicants, and to disburse available Federal
17 and State funds to such applicants in accordance with the
18 provisions of applicable statutes and regulations and in
19 conformity with the comprehensive plan.

20 (4) To establish such fund accounting, auditing,
21 monitoring and evaluation procedures as may be necessary to
22 assure fiscal control, proper management and disbursement of
23 grant funds, INCLUDING THE REQUIREMENTS OF SUPPORTING PAPERS <—
24 BEING SUBMITTED TO THE DISBURSING AGENCY BY PERSONS REQUIRING
25 REIMBURSEMENT, and to establish such procedures as may be
26 necessary to assure compliance with nondiscrimination
27 requirements.

28 (5) To audit the books and records of recipients of
29 financial assistance and of their contractors and, for the
30 purpose of such audits, to have access to all pertinent books

1 and records required to be kept by recipients of financial
2 assistance and by their contractors. The commission shall
3 have the power to subpoena witnesses, books, records and
4 papers in the execution of its auditing responsibilities and,
5 upon certification to it of failure to obey ~~and~~ ANY such <—
6 subpoena, the Commonwealth Court is empowered after hearing
7 to enter, when proper, an adjudication of contempt and such
8 other order as the circumstances require.

9 (6) To monitor and evaluate program effectiveness,
10 funded in whole or in part by the Commonwealth through the
11 commission aimed at reducing or preventing crime and
12 delinquency and improving the administration of justice as
13 deemed appropriate.

14 (7) To define, develop and correlate programs and
15 projects and establish priorities for crime prevention and
16 for improvement in law enforcement and criminal justice,
17 including juvenile justice and delinquency prevention,
18 throughout the Commonwealth.

19 (8) Provide for ~~an ongoing~~ A PERIODIC forum in which <—
20 leaders and recognized professionals of juvenile and criminal
21 justice programs for both the public and private sectors to
22 discuss major issues and philosophical concerns confronting
23 the Commonwealth's justice system. The forum shall serve to
24 promote communications and coordination between the agencies,
25 but shall not be involved in the direct disposition nor
26 management of applications for State or Federal assistance.
27 The chairman of the Pennsylvania Commission on Crime and
28 Delinquency shall serve as the chairman of the forum and
29 shall appoint no more than 30 members ~~from a list of three~~ <—
30 ~~names submitted by each organization or agency~~ TO SERVE ON <—

1 THIS FORUM. The forum shall meet at the call of the chairman
2 but not less than four times a year.

3 (9) To cooperate with and render technical assistance to
4 the General Assembly or a standing committee of the General
5 Assembly, State agencies, units of general local government
6 and public and private agencies relating to the improvement
7 of the criminal and juvenile justice system, including the
8 implementation of special conferences or workshops relating
9 to special issues or professional improvement of criminal
10 justice organizations.

11 (10) To establish, and the chairman of the commission
12 appoint, such subcommittees as it deems proper.

13 (11) To submit an annual report to the Governor and the
14 General Assembly concerning its work during the preceding
15 fiscal year. Other studies, evaluations and reports may be
16 submitted to the Governor or the General Assembly as deemed
17 appropriate.

18 (12) To promulgate such rules and regulations as the
19 commission deems necessary for the proper administration of
20 this act.

21 (13) TO REVIEW CRIMINAL JUSTICE PLANS DEVELOPED BY OTHER <—
22 STATE AGENCIES SO AS TO PROMOTE COORDINATION IN THE
23 DEVELOPMENT AND IMPLEMENTATION OF PROGRAMS TO IMPROVE
24 CRIMINAL JUSTICE AND JUVENILE JUSTICE SERVICES THROUGHOUT THE
25 COMMONWEALTH.

26 (14) UPON REQUEST ADVISE AND ASSIST THE EXECUTIVE AND
27 LEGISLATIVE BRANCHES OF STATE GOVERNMENT IN DEVELOPING
28 POLICIES, PLANS, PROGRAMS AND BUDGETS FOR IMPROVING THE
29 COORDINATION, ADMINISTRATION AND EFFECTIVENESS OF THE
30 CRIMINAL AND JUVENILE JUSTICE SYSTEMS.

(15) TO PREPARE SPECIAL REPORTS AND STUDIES OF CRIMINAL JUSTICE ISSUES UPON THE REQUEST OF THE GOVERNOR OR THE GENERAL ASSEMBLY OR A STANDING COMMITTEE OF THE GENERAL ASSEMBLY.

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

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

(1) To obtain data necessary from all persons and agencies listed in section 5 and from any other appropriate source.

(2) To prepare and distribute to all such persons and agencies, cards or other forms used in reporting data to the commission. Such cards or forms may, in addition to other items, include items of information needed by Federal bureaus or departments engaged in the development of national and uniform criminal statistics.

(3) To request the form and content of records which must be kept by such persons and agencies in order to insure the correct reporting of data to the commission.

(4) To instruct such persons and agencies in the installation, maintenance and use of such records and in the reporting of data to the commission.

(5) To process, tabulate, analyze and interpret the data obtained from such persons and agencies.

(6) To supply, at their request, to Federal bureaus or departments engaged in the collection of national criminal statistics data they need from this Commonwealth.

(7) To present to the Governor and the members of the General Assembly on or before July 1 of each year a report containing the criminal statistics of the preceding calendar year and to present at such other times as the commission

1 deems necessary reports on the special aspects of criminal
2 and juvenile statistics. The annual report shall contain
3 statistics showing:

4 (i) the number and types of offenses known to the
5 public authorities;

6 (ii) the personal and social characteristics of
7 criminals and delinquents; and

8 (iii) the administrative actions taken by law
9 enforcement, judicial, penal and correctional agencies in
10 dealing with criminals or delinquents.

11 (8) The commission, at the request of any of the
12 following, may assist or advise in a statistical and research
13 capacity the Bureau of Correction, the Pennsylvania Board of
14 Probation and Parole, the Pennsylvania State Police, the
15 Juvenile Court Judges' Commission and the State Court
16 Administrator.

17 (9) It shall be the duty of the commission to give
18 adequate interpretation of such statistics and so to present
19 the information that it may be of value in guiding the
20 policies of the commission and of those in charge of the
21 apprehension, prosecution and treatment of the criminals and
22 delinquents, or concerned with the present state of crime and
23 delinquency. The report shall include also statistics which
24 are comparable with national uniform criminal statistics
25 published by Federal bureaus or departments heretofore
26 mentioned.

27 (10) The commission shall take advantage of all
28 available Federal funds and establish new programs as well as
29 undertake a continuous analysis of future data needs.

30 Section 5. Duties of public agencies and officers in reporting

1 criminal statistics.

2 It shall be the duty of every constable, chief of police,
3 county police force, sheriff, coroner, district attorney, chief
4 probation officer and of the Bureau of Correction in the
5 Department of Justice, the Pennsylvania Board of Probation and
6 Parole, the Pennsylvania State Police, the State Court
7 Administrator, the Juvenile Court Judges' Commission, the
8 Department of Public Welfare, State Fire Marshal, Pennsylvania
9 Liquor Control Board, the Philadelphia Municipal and Traffic
10 Courts, justices of the peace, county prison wardens, and every
11 other person or agency dealing with crimes or criminals or with
12 delinquency or delinquents, when requested by the commission:

13 (1) To install and maintain records and recording
14 systems needed for the correct reporting of statistical data
15 required by the commission.

16 (2) To report statistical data to the commission at such
17 times and in such manner as the commission prescribes.

18 (3) To give to the staff of the commission access to
19 statistical data for the purpose of carrying out the duties
20 of the commission relative to criminal statistics.

21 Section 6. Juvenile Advisory Committee.

22 (a) Establishment and membership.--There is hereby
23 established the Juvenile Advisory Committee within the
24 commission. The members of the committee shall be appointed by
25 the Governor and shall include representation of units of local
26 government, law enforcement and juvenile justice agency
27 probation personnel, juvenile court judges, public and private
28 agencies and organizations concerned with delinquency prevention
29 or treatment and services to delinquency prevention or treatment
30 and services to dependent children, community-based prevention

1 in-treatment programs, organizations concerned with the quality
2 of juvenile justice or that utilize volunteers to work with
3 delinquent or dependent children, businesses employing youth,
4 youth workers involved with alternative youth programs, and
5 persons with special experience and competence in addressing the
6 problem of school violence and vandalism and the problem of
7 learning disabilities.

8 (b) Number and qualifications.--The committee shall consist
9 of NO LESS THAN 25 members OR MORE THAN 33 MEMBERS, all of whom <—
10 shall have had training or experience in juvenile justice. A
11 majority of the members shall not be full-time employees of the
12 Federal, State or local governments. At least one-third of the
13 membership shall be under the age of 26 at the time of
14 appointment. At least three of those members of the committee
15 under 26 years of age at the time of appointment shall have been
16 or are currently under the jurisdiction of the juvenile justice
17 system.

18 (c) Conditions of appointment.--The committee and its
19 members are subject to the same limitations and conditions
20 imposed upon the commission as prescribed in section 2(d),
21 ~~(e), (f), (i), (n) and (o).~~ (E), (H), (I), (M) AND (N). <—

22 (d) Quorum.--A majority of the members shall constitute a
23 quorum and a vote of the majority of the members present shall
24 be sufficient for all actions.

25 (e) Chairman.--~~The members of the committee shall choose by~~ <—
26 ~~majority vote~~ THE GOVERNOR SHALL APPOINT a chairman from among <—
27 the committee which shall serve a two-year term. A vice chairman
28 shall be designated by the chairman and preside at meetings in
29 the absence of the chairman. The committee shall meet at the
30 call of the chairman, but not less than four times a year.

1 Section 7. Powers and duties of the Juvenile Advisory
2 Committee.

3 The Juvenile Advisory Committee shall have the power, and its
4 duty shall be:

5 ~~(1) All responsibilities and duties of the commission~~ <—
6 ~~prescribed in section 3 insofar as they relate to juvenile~~
7 ~~justice and delinquency prevention, except:~~

8 ~~(i) Those functions related to the direct approval~~
9 ~~and disbursement of financial assistance shall be in an~~
10 ~~advisory capacity only, but shall include reviewing and~~
11 ~~commenting on such applications within 30 days.~~

12 ~~(ii) Those functions prescribed in section 3(5) and~~
13 ~~(12).~~

14 ~~(2) Advise the commission on any other matters relating~~
15 ~~to juvenile justice and delinquency prevention not contained~~
16 ~~in section 3.~~

17 ~~(3) To develop methods and procedures for evaluating~~
18 ~~services for delinquent and dependent children.~~

19 (1) SERVE IN AN ADVISORY CAPACITY TO THE COMMISSION <—
20 THROUGH THE COMMITTEE'S PARTICIPATION IN THE DEVELOPMENT OF
21 THAT PART OF THE COMMISSION'S COMPREHENSIVE PLAN RELATING TO
22 JUVENILE JUSTICE AND DELINQUENCY PREVENTION.

23 (2) THOSE FUNCTIONS RELATED TO THE DIRECT APPROVAL AND
24 DISBURSEMENT OF FINANCIAL ASSISTANCE SHALL BE IN AN ADVISORY
25 CAPACITY ONLY, BUT THE ADVISORY COMMITTEE SHALL HAVE THE
26 OPPORTUNITY TO REVIEW AND COMMENT ON SUCH APPLICATIONS WITHIN
27 30 DAYS AFTER RECEIPT OF THE APPLICATION FROM THE COMMISSION.

28 (3) TO ADVISE THE COMMISSION ON THE DEFINITION,
29 DEVELOPMENT AND CORRELATION OF PROGRAMS AND PROJECTS AND THE
30 ESTABLISHMENT OF PRIORITIES FOR JUVENILE JUSTICE AND

1 DELINQUENCY PREVENTION.

2 (4) TO DEVELOP STANDARDS, METHODS AND PROCEDURES FOR
3 EVALUATING AND MONITORING SERVICES FOR DELINQUENT AND
4 DEPENDENT CHILDREN.

5 (5) UPON REQUEST PROVIDE WHATEVER ASSISTANCE AND ADVICE
6 TO THE COMMISSION ON ANY OTHER MATTERS RELATING TO JUVENILE
7 JUSTICE AND DELINQUENCY PREVENTION.

8 (6) STAFF SUPPORT SHALL BE MADE AVAILABLE TO THE
9 JUVENILE ADVISORY COMMITTEE BY THE EXECUTIVE DIRECTOR IN
10 ORDER TO ADEQUATELY PERFORM THE DUTIES PROVIDED FOR IN
11 SECTION 7. THE CHIEF OF THE SECTION FOR JUVENILE PLANNING
12 SHALL SERVE AS EXECUTIVE SECRETARY FOR ITS ADVISORY
13 COMMITTEE.

14 Section 8. Regional Advisory Committees.

15 (a) Establishment and composition.--There shall be Regional
16 Advisory Committees within the commission which shall ~~consist of~~ <—
17 ~~not more than 25 members appointed by the Governor.~~

18 ~~(b) Membership.—~~

19 ~~(1) A majority of the members shall be representatives~~
20 ~~of units of local governments.~~

21 ~~(2) The other members shall consist of the following:~~

22 ~~(i) a judge of the court of common pleas;~~

23 ~~(ii) a juvenile court judge;~~

24 ~~(iii) a district attorney;~~

25 ~~(iv) a defense attorney;~~

26 ~~(v) four private citizens, two of which have~~
27 ~~experience or special knowledge of the juvenile justice~~
28 ~~system;~~

29 ~~(vi) one representative of law enforcement agencies;~~

30 ~~(vii) one representative of juvenile correctional or~~

1 ~~rehabilitative agencies;~~

2 ~~(viii) one representative of adult correctional or~~
3 ~~rehabilitative agencies; and~~

4 ~~(ix) one representative of educational institutions~~
5 ~~or programs.~~

6 ~~(c) Conditions of appointment. The committee and its~~
7 ~~members are subject to the same limitations and conditions~~
8 ~~imposed upon the commission prescribed in section~~
9 ~~2(d), (e), (f), (i), (n) and (o).~~

10 ~~(d) Quorum. A majority of the members shall constitute a~~
11 ~~quorum and a vote of the majority of the members present shall~~
12 ~~be sufficient for all actions.~~

13 ~~(e) Chairman. The chairman shall be chosen by a majority of~~
14 ~~the members of the advisory committee and shall serve a two year~~
15 ~~term. The chairman shall designate a vice chairman to preside at~~
16 ~~meetings in his absence. The committee shall meet on the call of~~
17 ~~the chairman, but not less than four times a year.~~

18 ~~(f) Boundaries. In establishing the boundaries of the~~
19 ~~regional advisory committees, the commission shall insure that~~
20 ~~each county is represented through an advisory committee.~~

21 ~~(g) Applicability. Those counties of a population of~~
22 ~~250,000 or more who establish an advisory committee for the~~
23 ~~county and which complies with the provisions of this section~~
24 ~~shall be designated the regional advisory committee for that~~
25 ~~county. In such instances, the chief executive shall appoint the~~
26 ~~members of the advisory committee.~~

27 ~~(h) Appointment of staff. All personnel performing duties~~
28 ~~for the regions of the Governor's Justice Commission on the~~
29 ~~effective date of this act who are not subject to the Civil~~
30 ~~Service Act of August 5, 1941 (P.L.752, No.186), shall remain in~~

~~their position unless it can be determined that they have been negligent or incompetent in the performance of their duties.~~

~~Section 9. Powers and duties of the Regional
— Advisory Committees.~~

~~The Regional Advisory Committees shall have the power and its duty shall be:~~

~~(1) To review and evaluate the problems and needs of the juvenile and criminal justice system in their region and to provide the commission with an annual report of their findings and recommendations which shall be considered by the commission in preparing the State Comprehensive Plan. In formulating their findings and recommendations for the commission the regional advisory committees shall conduct at least one public hearing. The annual report shall contain priorities for the improvement of the juvenile and criminal justice systems for the region.~~

~~(2) To review and advise the commission on all applications for financial assistance for the improvement of the juvenile or criminal justice system solely within the region within 60 days of receipt of the application from the commission.~~

~~(3) To advise local juvenile and criminal justice agencies and organizations in the development of programs to improve the juvenile and criminal justice systems in the region.~~

~~(4) To promote the coordination of juvenile and criminal justice programs in the region.~~ BE COMPOSED AS FOLLOWS: <—

(1) NOT LESS THAN 24 MEMBERS, INCLUDING THE CHAIRMAN ALL OF WHICH SHALL BE APPOINTED BY THE GOVERNOR.

(2) MEMBERS SHALL BE SELECTED TO REPRESENT THE INTERESTS

1 OF LOCAL LAW ENFORCEMENT, JUDICIARY, CORRECTIONS,
2 PROSECUTION, DEFENSE, HEALTH AND WELFARE PLANNING BODIES,
3 PRIVATE AGENCIES AND CITIZENS GROUPS, COMMUNITY GROUPS, AND
4 ORGANIZATIONS CONCERNED WITH CRIME AND DELINQUENCY; PUBLIC
5 AND PRIVATE AGENCIES ACTIVE IN JUVENILE DELINQUENCY
6 PREVENTION; AND SHALL INCLUDE A MAJORITY OF LOCAL ELECTED
7 OFFICIALS SELECTED IN CONFORMITY WITH LAW.

8 (3) A MEMBER SHALL SERVE A TWO-YEAR TERM UNLESS
9 TERMINATED BY THE GOVERNOR OR TERMINATED, IN THE CASE OF AN
10 ELECTED OR APPOINTED PUBLIC OFFICER, BY THE END OF SUCH
11 SERVICE, AND SHALL CONTINUE TO SERVE UNTIL NOTIFIED OF
12 TERMINATION OR REAPPOINTMENT.

13 (4) THREE CONSECUTIVE UNEXCUSED ABSENCES FROM REGULAR
14 MEETINGS, EXCEPT FOR TEMPORARY ILLNESS, OR FAILURE TO ATTEND
15 AT LEAST 50% OF THE REGULAR MEETINGS IN ANY CALENDAR YEAR
16 SHALL BE CONSIDERED CAUSE FOR TERMINATION OF APPOINTMENT AND
17 SHALL BE REPORTED TO THE GOVERNOR BY THE CHAIRMAN OF THE
18 COUNCIL.

19 (B) BYLAWS.--EACH ADVISORY COMMITTEE SHALL ESTABLISH BYLAWS
20 TO GOVERN ITS OPERATION AND INTERNAL ADMINISTRATION. THESE
21 BYLAWS SHALL BE SUBJECT TO APPROVAL BY THE EXECUTIVE DIRECTOR OF
22 THE COMMISSION TO INSURE THAT THEY ARE IN ACCORDANCE WITH STATE
23 AND FEDERAL LAWS, REGULATIONS, GUIDELINES AND COMMISSION
24 POLICIES.

25 (C) POWERS AND DUTIES.--THE REGIONAL ADVISORY COMMITTEES
26 SHALL ASSIST THE COMMISSION BY DEVELOPING AND ADOPTING
27 COMPREHENSIVE LAW ENFORCEMENT AND CRIMINAL JUSTICE AND JUVENILE
28 DELINQUENCY PLANS. ALL SUCH ACTIVITIES SHALL BE PERFORMED IN
29 ACCORDANCE WITH ESTABLISHED COMMISSION POLICIES, GUIDELINES,
30 PROCESSES AND TIMETABLES. THE REGIONAL ADVISORY COMMITTEES SHALL

1 MAKE A REVIEW OF, AND DEVELOP RECOMMENDATIONS CONCERNING,
2 COMPREHENSIVE PLANS DEVELOPED BY UNITS OF GENERAL LOCAL
3 GOVERNMENT, INCLUDING MINI-BLOCK GRANT PLANS, TO DETERMINE
4 CONSISTENCY WITH THE COMMISSION'S COMPREHENSIVE PLAN AND ALL
5 RELEVANT GUIDELINES, POLICIES, PROCESSES, AND TIMETABLES AND
6 MAKE RECOMMENDATIONS TO THE COMMISSION FOR THE FUNDING OF
7 PROJECTS CONSISTENT WITH THE COMMISSION'S COMPREHENSIVE PLAN,
8 ESTABLISHED FUNDING GUIDELINES AND CONDUCIVE TO LOCAL AND
9 REGIONAL LAW ENFORCEMENT, CRIMINAL JUSTICE AND JUVENILE
10 DELINQUENCY NEEDS.

11 (D) LOCAL PLANNING AGENCY STAFF.--NO UNIT OF GENERAL LOCAL
12 GOVERNMENT OR COMBINATION OF SUCH UNITS SHALL BE ELIGIBLE TO
13 RECEIVE FUNDS FOR THE ESTABLISHMENT AND OPERATION OF A CRIMINAL
14 JUSTICE PLANNING AGENCY UNLESS THE STAFF OF SUCH AGENCY IS HIRED
15 AND RETAINED ON MERIT PRINCIPLES.

16 (E) CITIES OF THE FIRST CLASS.--WHENEVER ANY CITY OF THE
17 FIRST CLASS SHALL ESTABLISH A REGIONAL ADVISORY COMMITTEE WHICH
18 COMPLIES WITH FEDERAL REQUIREMENTS, SUCH ADVISORY COMMITTEE
19 SHALL BE THE ADVISORY COMMITTEE FOR THAT CITY AND, IN SUCH
20 INSTANCE, THE CHIEF EXECUTIVE OF THE CITY SHALL APPOINT THE
21 MEMBERS OF THE ADVISORY COMMITTEE.

22 Section 10. Cooperation by other departments.

23 It shall be the duty of the various administrative
24 departments, boards and commissions to cooperate so far as
25 practicable with the commission in the performance of its duties
26 under this act, except as provided in sections 4 and 5.

27 Section 11. Transfer of personnel, assets and appropriations.

28 All personnel, allocations, appropriations, equipment, files,
29 records, contracts, agreements, obligations, and other materials
30 which are used, employed or expended by the Governor's Justice

1 Commission in connection with the powers, duties or functions
2 exercised under this act by the commission are hereby
3 transferred to the commission with the same force and effect as
4 if the appropriations had been made to and said items had been
5 the property of the commission in the first instance and as if
6 said contracts, agreements and obligations had been incurred or
7 entered into by said commission.

8 Section 12. Abolition of Justice Commission.

9 The Governor's Justice Commission is hereby abolished.

10 Section 13. Termination of commission.

11 On December 31, 1980 the commission shall be abolished. The
12 Judiciary Committees of the House of Representatives and Senate
13 shall conduct a review of the performance and effectiveness of
14 the commission and make public a report of their findings,
15 conclusions and recommendations, including proposed legislation
16 for such extension or reorganization of the commission as deemed
17 appropriate. Such review shall be conducted not later than nine
18 months prior to the termination.

19 Section 14. Repealer.

20 Section 924, act of April 9, 1929 (P.L.177, No.175), known as
21 "The Administrative Code of 1929," is repealed.

22 Section 15. Effective date.

23 This act shall take effect December 31, 1978.