

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1034 Session of
1989

INTRODUCED BY CORMAN, HELFRICK, SHAFFER, GREENWOOD, JUBELIRER,
ROCKS, O'PAKE, FUMO, PORTERFIELD, SALVATORE, REIBMAN, LYNCH,
BELAN AND FISHER, JUNE 12, 1989

REFERRED TO JUDICIARY, JUNE 12, 1989

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employes of certain departments, boards and
20 commissions shall be determined," providing for reports to
21 the General Assembly by the Pennsylvania Commission on Crime
22 and Delinquency.

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

25 Section 1. The act of April 9, 1929 (P.L.177, No.175), known
26 as The Administrative Code of 1929, is amended by adding a
27 section to read:

1 Section 479.6. Reports to General Assembly.--(a) The
2 commission shall, in coordination with the several counties of
3 the Commonwealth, prepare a report for fiscal years 1987-1988
4 and 1988-1989 of:

5 (1) fines, costs and fees collected from persons convicted
6 of, or placed on accelerated rehabilitative disposition for
7 violation of 75 Pa.C.S. § 3731 (relating to driving under
8 influence of alcohol or controlled substance);

9 (2) costs incurred for incarceration and suspension of
10 persons who violate section 3731;

11 (3) costs incurred by local police in the enforcement of
12 section 3731;

13 (4) costs incurred by courts in the processing of violations
14 of section 3731; and

15 (5) the amounts of the fines, costs and fees collected which
16 are expended for drug and alcohol programs, and for the
17 prevention of violations of section 3731.

18 (b) The commission shall, in coordination with the
19 Pennsylvania State Police, the Department of Health and the
20 Department of Transportation, prepare a report of the funds and
21 their sources, expended during fiscal years 1987-1988 and 1988-
22 1989 for:

23 (1) drug and alcohol treatment, education and prevention
24 programs as the result of violations of section 3731;

25 (2) enforcement of section 3731; and

26 (3) incarceration and supervision of persons convicted of,
27 or placed on accelerated rehabilitative disposition for
28 violation of section 3731.

29 (c) The commission shall present the reports to the
30 Secretary of the Senate and the Clerk of the House of

1 Representatives on or before June 1, 1990.

2 Section 2. The sum of \$150,000 is hereby appropriated to the
3 Pennsylvania Commission on Crime and Delinquency to fund the
4 reports required by this act.

5 Section 3. In order to qualify for Federal grants under the
6 Drunk Driving Prevention Act of 1988 (Public Law 100-690, 102
7 Stat. § 4521), the General Assembly finds that it is necessary
8 to determine the amount of fines, costs and fees collected from
9 persons convicted of or sentenced to alternative dispositions as
10 a result of violations of 75 Pa.C.S. § 3731 (relating to driving
11 under influence of alcohol or controlled substance), which are
12 returned, or the equivalent amount of non-Federal funds
13 provided, to the county where the violation occurred. It is the
14 intent of this act to place the Commonwealth in as favorable a
15 position as possible to qualify for Federal grants to State and
16 local governments under the Drunk Driving Prevention Act of
17 1988.

18 Section 4. This act shall take effect immediately.