

No. 257

AN ACT

SB 1691

Amending the act of July 29, 1953 (P. L. 1435), entitled "An act relating to the more effective treatment of persons convicted of crime or committed as defective delinquents; creating in the Department of Justice correctional diagnostic and classification centers; providing for the diagnosis and classification of persons sentenced or committed by the courts to a State institution; fixing the responsibility for costs of transportation and maintenance of such persons; prescribing duties of the courts and the powers and duties of the Department of Justice relative thereto; making civil and criminal laws applicable to penitentiaries and persons therein or responsible therefor applicable in the case of the said institutions," further providing for classification centers and sending persons thereto.

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

Section 1. Section 1, act of July 29, 1953 (P. L. 1435), entitled "An act relating to the more effective treatment of persons convicted of crime or committed as defective delinquents; creating in the Department of Justice correctional diagnostic and classification centers; providing for the diagnosis and classification of persons sentenced or committed by the courts to a State institution; fixing the responsibility for costs of transportation and maintenance of such persons; prescribing duties of the courts and the powers and duties of the Department of Justice relative thereto; making civil and criminal laws applicable to penitentiaries and persons therein or responsible therefor applicable in the case of the said institutions," amended April 17, 1959 (P. L. 48), is amended to read:

Section 1. For the more effective treatment of persons convicted of crime in this Commonwealth and sentenced to a State institution, [two] so many classification centers for the diagnosis and classification as may be necessary for assignment to the proper State institution are hereby established. [They shall be known as the Eastern Correctional Diagnostic and Classification Center and the Western Correctional Diagnostic and Classification Center] Each center so established shall be known as the Correctional Diagnostic and Classification Center at its location.

Section 2. Section 2 of the act is amended to read:

Section 2. The Commissioner of Correction, with the approval of the Attorney General, is hereby authorized and directed to designate, set apart and equip so much of the land and buildings of [the Eastern and Western Penitentiaries] any State institution under the control

and supervision of the Bureau of Correction as may be requisite for its use [by the Bureau of Correction of the Department of Justice for the Eastern Correctional Diagnostic and Classification Center and for the Western Correctional Diagnostic and Classification Center] as a Correctional Diagnostic and Classification Center.

Section 3. Sections 3 and 4 of the act, amended April 17, 1959 (P. L. 48), are amended to read:

Section 3. Every person hereafter sentenced by any court in this Commonwealth to a State institution shall be sent to and received by the [Eastern] Correctional Diagnostic and Classification Center [, if sentenced from a county in the Eastern District, and by the Western Correctional Diagnostic and Classification Center, if sentenced from a county in the Western District] designated by the Commis-

sioner of Correction, in his discretion, as proper for persons sentenced from that judicial district: Provided, however, That the provisions

of this section shall not apply to persons sentenced to the Pennsylvania Industrial School at Camp Hill, State Industrial Home for Women at Muncy, and those persons condemned to death [: And provided further, That every person hereafter committed as a defective delinquent shall be sent directly to and received by the institution designated by law for the commitment of defective delinquents].

Section 4. Every person delivered to and received by [either] any Diagnostic and Classification Center in accordance with this act shall be [herein] therein confined, diagnosed and classified by the Deputy

Commissioner for Treatment for incarceration or care in the State institution deemed by him to be appropriate, and transferred to such institution for service of sentence, and such person may be retransferred at any time to the proper Diagnostic and Classification Center for reclassification. The Deputy Commissioner for Treatment shall have complete authority to make transfers from any State institution under the control and supervision of the Department of Justice to any other State institution under said Department's control and supervision.

Section 4. Section 5 of the act is amended to read:

Section 5. Upon transfer of each person from [either] any Diagnostic and Classification Center, the Deputy Commissioner for Treatment shall make a written report of his examination and findings, which shall include a designation of the institution of transfer and the date of transfer. Within forty-eight (48) hours after the transfer, this report shall be filed with the clerks of the court from which the person was sentenced or committed. A copy of such report shall be sent to the institution to which the person was transferred, to the Pennsylvania Board of Parole and to the Bureau of Correction of the Department of Justice. The report in the office of the clerk

of court shall be impounded and shall be accessible only upon authorization in writing by a judge of the court from which the person was sentenced or committed.

Section 5. All acts and parts of acts, general, local and special, are repealed in so far as they are inconsistent herewith.

Section 6. This act shall take effect January 1, 1969.

APPROVED—The 31st day of July, A. D. 1968.

RAYMOND P. SHAFER.

No. 258

AN ACT

HB 2790

Amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employes; amending, revising, consolidating and changing the laws relating thereto," changing certain definitions, further providing for membership and withdrawal benefits in Class D-3 and further defining duties of State employes.

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

Section 1. Clauses (15) and (19) of section 102, act of June 1, 1959 (P. L. 392), known as the "State Employes' Retirement Code of 1959," clause (15) amended April 28, 1961 (P. L. 156) and clause (19) amended August 27, 1963 (P. L. 1233), are amended to read:

Section 102. Definitions.—The following words and phrases as used in this act, unless a different meaning is plainly required by the context, shall have the following meanings:

* * *

(15) "Compensation" shall mean, (i) in the case of State employes other than [members of the General Assembly and] officers and employes of the Pennsylvania State Police, all compensation received, including all overtime or other extra compensation and maintenance allowances but excluding refunds for expenses incidental to employment, and in the case of members of the General Assembly, excluding expense and contingency allowances, (ii) [in the case of members of the General Assembly, six thousand dollars (\$6,000) and in the case of a constitutional officer of the General Assembly, his salary as a member of the General Assembly and any additional compensation provided by law for regular, special and extraordinary sessions of the General Assembly exclusive of expense and contingency allowances, (iii)] in the case of officers and employes of the Pennsylvania