



# PSCOA Political Update

## Pennsylvania State Corrections Officers Association

www.pscoa.org

July 9, 2009

The following information on legislation that may impact the H-1 Bargaining Unit has been received today from our lobbyists, the Winter Group, and is being sent out for our membership's information.

We ask that you share this information with all members of H-1.

### House Judiciary

TUESDAY - 7/14/09

10:00 a.m., Room 205, Ryan Office Building

To consider:

SB 112	Greenleaf	Amends Titles 42 (Judiciary) & codifying Title 61 (Penal & Correctional Institutions) further providing for adoption of guidelines for resentencing, for adoption of guidelines for parole etc. & changes & repeals relating to codification.
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SB 73	Greenleaf	Amends Title 18 (Crimes and Offenses), in obstructing governmental operations, further providing for the offense of weapons or implements for escape and for contraband; and making a conforming amendment.
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The following bill is on the House calendar for 2<sup>nd</sup> consideration today:

### HB 264 - (PLS Summary)

(PN 2386) Amends Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) further providing for expungement of criminal history record, amending Title 18 by identifying that criminal history record information may be expunged when an individual who is the subject of the information petitions for expungement of the information and the individual has been free of arrest or prosecution following final release from confinement or supervision for the greater of delineated time periods. Title 42 is amended by adding a section stating a person who is filing a petition for expungement shall pay a fee of \$100 to the clerk of courts, who would see that \$50 of that fee shall be directed to the administrative office of the Pennsylvania Courts and \$50 shall be directed to the PA State Police.

The following amendments have been posted to the bill:

**A00975 SCHRODER 04-30-09** - Adds language creating a new subsection providing notwithstanding any other provision of law, any criminal conviction of an applicant for a slot machine license which has been expunged or sealed or an order of Accelerated Rehabilitative Disposition which has been entered shall be used by the Gaming Control Board for licensing purposes in its consideration of character under Title 4, § 1310.

**A01263 VULAKOVICH 05-28-09** - Adds language pertaining to expungement of juvenile records where the individual is 18 years of age or older and has been convicted of a violation of section 6308 relating to purchase, consumption, possession or transportation of liquor or malt or brewed beverages which occurred while the individual was under 18 years of age and the individual has satisfied all terms and conditions of the sentence. Also provides for expungement of juvenile records where the individual is 18 years of age or older and the individual has satisfied all terms and conditions of the sentence imposed following a conviction for a summary offense, with the exception of a violation of section 6308, committed while the individual was under 18 years of age and the individual has not been convicted of a felony, misdemeanor or adjudicated delinquent and not proceeding is pending seeking such conviction or adjudication.

**A02534 VULAKOVICH 07-07-09** - Adds language allowing the expungement of criminal history for individuals age 21 or older who had a violation relating to purchase, consumption, possession or transportation of liquor or malt or brewed beverages on the day or after they turned 18 years of age as long as all terms and conditions of sentencing for the violation were met. Also adds language pertaining to expungement for juvenile records.

HR 402            Waters (D)            Resolution directing the Joint State Government Commission to establish an advisory committee to study the issues relating to juveniles with life sentences.

**Last Action:** 7- 8-09 H Filed

The House is expected to vote on the following bill today:

### **HB 1281 - (PLS Summary)**

(PN 2182) The Privately Operated Community Corrections Facility Act requires that a public hearing be held in the municipality affected by a private vendor who intends to submit a bid to the department for beds in a community corrections facility. At the public hearing the private vendor shall explain the operation of the community corrections facility and permit public comments relating to the site and operation of the facility. The private vendor shall submit a transcript of the public hearing to the department as part of its bid and the department shall review the transcript and consider the substance of the public comments when awarding a contract pursuant to the request for proposal. The bill provides for notice of the public hearing.

The following amendments may be considered on the floor today:

**A01856 CREIGHTON 06-17-09** - Removes the current language and adds new language providing for the Commonwealth Building Project Notification Act. Requires a state executive agency to conduct a public hearing within the county of the proposed site of any facility with a value of at least \$100,000, which the agency builds or causes to be built, not less than six months prior to the date on which the facility is scheduled to commence operations. Also requires the agency to provide a minimum of two notices in a newspaper of general circulation of its intent to hold a public hearing. Further provides a private vendor who intends to submit a bid to the Department of Corrections pursuant to a request for proposal for beds in a community corrections facility shall conduct a public hearing in the municipality of the proposed site.

**A01857 CREIGHTON 06-17-09** - Removes the current language and adds language providing for the Commonwealth Project Notification Act. Provides the Pennsylvania Board of Probation and Parole shall conduct a public hearing within the county of the proposed site of any facility leased for its use, not less than six months prior to the date on which the facility is scheduled to commence operations. Further provides, the board shall explain the operations of the facility and shall permit public comment related to the operation of the facility at a public hearing. Also provides a private vendor who intends to submit a bid to the Department of Corrections pursuant to a request for proposal for beds in a community corrections facility shall conduct a public hearing in the municipality of the proposed site. In addition, the private vendor shall submit a transcript of the public hearing to the Department of Corrections as part of its bid pursuant to the request for proposal and the department shall review the transcript and shall consider the substance of the public comments when awarding the contract.

**A01858 CREIGHTON 06-17-09** - Removes the current language and adds language providing for the Commonwealth Project Notification Act. Requires a state executive agency to conduct a public hearing within the county of the proposed site of any facility with a value of at least \$100,000, which the agency builds or causes to be built, not less than six months prior to the date on which the facility is scheduled to commence operations. Also requires the agency to provide a minimum of two notices in a newspaper of general circulation of its intent to hold a public hearing. Further provides a private vendor who intends to submit a bid to the Department of Corrections pursuant to a request for proposal for beds in a community corrections facility shall conduct a public hearing in the municipality of the proposed site. In addition, the private vendor shall submit a transcript of the public hearing to the Department of Corrections as part of its bid pursuant to the request for proposal and the department shall review the transcript and shall consider the substance of the public comments when awarding the contract. Provides the Pennsylvania Board of Probation and Parole shall conduct a public hearing within the county of the proposed site of any facility leased for its use, not less than six months prior to the date on which the facility is scheduled to commence operations. Further provides, the board shall explain the operations of the facility and shall permit public comment related to the operation of the facility at a public hearing.