

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 667 **Session of**
1961

MESSRS. ROONEY, CONFAIR AND WADE, IN PLACE,
MAY 23, 1961.

AS AMENDED ON THIRD READING, IN HOUSE OF
REPRESENTATIVES, AUGUST 7, 1961.

AN ACT

Creating and establishing a continuing career system for technical and professional personnel in or assigned to the Department of Highways establishing and vesting certain powers in the Highway Technical and Professional Personnel Board and making an appropriation

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

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill. Underscoring indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

1 Section 1 Short Title This act shall be known and cited as the
2 "Department of Highways' Career System Act"

3 Section 2 Legislative Intent Greater efficiency and economy in
4 the administration of the Department of Highways is the primary pur-
5 pose of this act The establishment of a continuing career system for
6 technical and professional personnel in or assigned to the Department
7 of Highways which will attract and retain qualified persons of character
8 and ability and their appointment and promotion on the basis of quali-
9 fications merit and fitness are means to this end

10 Section 3 Definitions In this act unless the context otherwise
11 clearly requires

12 (1) "Board" means the Highway Technical and Professional Per-
13 sonnel Board

14 (2) "Professional Personnel" means all positions now existing and
15 hereafter established in the Department of Highways which require
16 specialized knowledge based on formalized training or equivalent ex-
17 perience conforming to recognized standards "Professional Personnel"
18 shall include ~~but shall not be restricted to~~ ONLY the following positions

19 (i) engineers

20 (ii) geologists

- 1 (iii) chemists
- 2 (iv) planning specialists
- 3 (v) statisticians
- 4 (VI) ECONOMISTS
- 5 (VII) GEODESISTS
- 6 (VIII) PHOTOGRAMMETRISTS
- 7 (IX) ARCHITECTS
- 8 (X) LANDSCAPE ARCHITECTS
- 9 (3) "Secretary" means the Secretary of Highways
- 10 (4) "Technical Personnel" means all positions now existing and
- 11 hereafter established in the Department of Highways which require
- 12 specialized skill based on formalized training or equivalent experience
- 13 conforming to recognized standards "Technical Personnel" shall in-
- 14 clude ~~but shall not be restricted to~~ ONLY the following positions
- 15 (i) cartographers
- 16 (ii) constructon inspectors
- 17 (iii) draftsmen
- 18 (iv) right-of-way agents
- 19 (v) surveyors

1 (vi) traffic engineer assistants

2 (vii) administrative technicians

3 (VIII) HIGHWAY AND STRUCTURAL DESIGN ASSIST-

4 ANTS

5 (IX) MATERIALS TEST TECHNICIANS

6 (X) ROADSIDE DEVELOPMENT TECHNICIANS

7 (XI) HIGHWAY EQUIPMENT SPECIALISTS

8 (XII) DATA PROCESSING MACHINE OPERATORS AND

9 SPECIALISTS

10 Section 4 Highway Technical and Professional Personnel Board

11 The Highway Technical and Professional Personnel Board is hereby

12 created and it shall have the power and its duty shall be

13 (1) To establish organize and maintain a continuing career system

14 for all technical and professional positions in the Department of High-

15 ways

16 (2) To adopt rules resolutions and regulations for technical and

17 professional personnel appointed employed by or assigned to the De-

18 partment of Highways Such rules resolutions and regulations shall be

19 based upon merit and fitness and include standards of recruitment

20 qualifications selection tenure demotion promotion removal and appeal

1 (3) To prescribe qualifications for technical and professional per-
2 sonnel appointed employed by or assigned to the Department of High-
3 ways For the purpose of this act county maintenance employes may
4 not qualify as technical or professional personnel No restriction may
5 be imposed relating to race age religion or political affiliation

6 (4) To determine what positions in the Department of Highways
7 shall be considered as technical or professional

8 Section 5 Prohibition of Political Activity No person holding
9 a position which has been classified as technical or professional shall
10 be a member of or delegate or alternate to any political convention
11 nor shall he participate at any such convention except in the perform-
12 ance of his official duty or as a visitor nor shall he serve as a member
13 of any committee of any political party or take an active part in politi-
14 cal management or in political campaigns or use his office or position
15 to influence political movements or to influence the political action of
16 any officer or employe in the service of the Commonwealth nor shall
17 he circulate or seek signatures to any nominations or other petition
18 required by any primary or election law nor shall he seek or accept
19 election nomination or appointment as an officer of a political club or

1 organization or serve as a member of a committee of any such club
2 or organization or otherwise engage in political activity Provided how-
3 ever That the rights of any individual as a citizen are not impaired
4 hereby and the prerogative to attend meetings to hear or see any can-
5 didate or nominee or to express one's individual opinion shall remain
6 inviolate Any person who after hearing is found to have violated the
7 provisions of this section shall be immediately dismissed from his posi-
8 tion

9 Section 6 Composition of the Board The Board shall be composed
10 of the Secretary or his designated representative and four members
11 appointed by the Governor Of the four members appointed by the
12 Governor two members shall be Civil Engineers registered by the
13 State Registration Board for Professional Engineers who through ex-
14 perience have acquired a reputation as being knowledgeable in the prin-
15 ciples and practices of highway engineering and one member shall be
16 a faculty member of a Pennsylvania School of Engineering accredited
17 by the State Registration Board of Professional Engineers The fourth
18 such member shall by experience have acquired a reputation as knowl-
19 edgeable in the principles and practices of public administration

20 Section 7 Term of Office The term of office of each appointed

1 member of the Board shall be four years from the third Tuesday of
 2 January of the year in which he takes office or until his successor has
 3 been appointed and has qualified except that in the initial appointment
 4 of the members of the Board one member shall be appointed for a
 5 term of one year one member for a term of two years one member for
 6 a term of three years and one member for a term of four years

7 Section 8 Quorum Three members of the Board shall constitute a
 8 quorum

9 Section 9 Compensation Board members shall be paid at the rate
 10 of thirty dollars for each day of work and shall receive actual travelling
 11 and related expenses

12 Section 10 Appropriation As much money as necessary is hereby
 13 appropriated from the Motor License Fund to compensate Board mem-
 14 bers and for their actual traveling and related expenses together with
 15 administrative expenses of the Board

16 Section 11 Chairman of the Board The Secretary of Highways
 17 or his designated representative shall be the Chairman of the Board
 18 and shall enforce such rules regulations and resolutions as are adopted
 19 by the Board

20 Section 12 This act shall take effect immediately

We certify that this bill has passed the Senate and the House of Representatives.

.....
Chief Clerk, Senate

.....
President pro tempore, Senate

.....
Speaker, House of Representatives

Approved The day of A. D. 1961.

.....
Governor