

No. 455

AN ACT

To amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, one hundred seventy-seven), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by consolidating the Pennsylvania State Police and the State Highway Patrol and their powers and duties into one agency, to be known as the Pennsylvania Motor Police; and establishing as part of such agency a Motor Police Force; and making provision for the number, selection, qualifications, promotion, training, and discipline of the members of such force.

Sections 201, 205, 207, 208, 517, 710, 711, 712 and 2502, act of April 9, 1929 (P. L. 177), further amended.

Section 1. Be it enacted, &c., That sections two hundred one, two hundred five, two hundred seven, two hundred eight, five hundred seventeen, seven hundred ten, seven hundred eleven, seven hundred twelve, and two thousand five hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, one hundred seventy-seven), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and

employees of certain departments, boards and commissions shall be determined," are hereby amended or further amended, as the case may be, to read as follows:

Section 201. Executive Officers, Administrative Departments, and Independent Administrative Boards and Commissions.—The executive and administrative work of this Commonwealth shall be performed by the Executive Department, consisting of the Governor, Lieutenant Governor, Secretary of the Commonwealth, Attorney General, Auditor General, State Treasurer, Secretary of Internal Affairs, and Superintendent of Public Instruction; by the Executive Board, and the Pennsylvania [State] *Motor Police*; by the following administrative departments: Department of State, Department of Justice, Department of the Auditor General, Treasury Department, Department of Internal Affairs, Department of Public Instruction, Department of Military Affairs, Insurance Department, Department of Banking, Department of Agriculture, Department of Forests and Waters, Department of Mines, Department of Highways, Department of Health, Department of Labor and Industry, Department of Welfare, Department of Property and Supplies, and Department of Revenue; and by the following independent administrative boards and commissions: Board of Game Commissioners, Board of Fish Commissioners, and the Public Service Commission of the Commonwealth of Pennsylvania.

All of the provisions of this act, which apply generally to administrative departments, or generally except to the Department of the Auditor General and the Treasury Department, shall apply to the Executive Board and to the Pennsylvania [State] *Motor Police*.

Section 205. Pennsylvania [State] *Motor Police*.—The Pennsylvania [State] *Motor Police* shall consist of a [superintendent] *Commissioner*, a *Deputy Commissioner*, the State police force, and the *State Highway Patrol*, as now [or hereafter] authorized by law, which are hereby consolidated into one force, to be known as the *Motor Police Force*, and such [deputies] chiefs, statisticians, clerks, experts and other assistants, as the [superintendent] *commissioner*, with the approval of the Governor, shall deem necessary for the work of the force.

The [superintendent] *Commissioner* of the Pennsylvania [State] *Motor Police* shall receive a salary at the rate of [seven] *eight* thousand [five hundred] dollars per annum.

[The State police force shall receive such compensation as is now or may hereafter be fixed by law.]

The Deputy Commissioner of the Pennsylvania Motor Police shall be appointed by the Commissioner of Pennsylvania Motor Police, with the approval of the Gov-

ernor, and shall receive a salary at the rate of seven thousand five hundred dollars per annum.

The Motor Police Force shall consist of such number of officers and men, and shall be organized in such manner, as the Commissioner of Pennsylvania Motor Police, with the approval of the Governor, shall, from time to time, determine: Provided, however, That the number of officers and men shall not exceed in the aggregate at any time one thousand six hundred persons.

The [deputies] members of the Motor Police Force and the chiefs, statisticians, clerks, experts, and other assistants, engaged in the work of the Pennsylvania [State] Motor Police, shall be appointed by the [superintendent] commissioner, and shall receive such compensation as shall be fixed by the [superintendent] commissioner, with the approval of the Governor, which compensation shall, however, conform to the standards established by the Executive Board.

[The members of the State police force shall be appointed by the superintendent.]

Section 207. Appointment.—The Governor shall nominate and, by and with the advice and consent of two-thirds of all the members of the Senate, appoint:

(a) The Secretary of the Commonwealth, the Attorney General, the Superintendent of Public Instruction, the Adjutant General, the Insurance Commissioner, the Secretary of Banking, the Secretary of Agriculture, the Secretary of Forests and Waters, the Secretary of Mines, the Secretary of Highways, the Secretary of Health, the [Superintendent] Commissioner of the Pennsylvania [State] Motor Police, the Secretary of Labor and Industry, the Secretary of Welfare, the Secretary of Property and Supplies, the Secretary of Revenue, and the members of all independent administrative boards and commissions.

The Adjutant General shall have the rank of Brigadier General of the Adjutant General's Department in the Pennsylvania National Guard. No Adjutant General shall be appointed who shall not have served at least ten years as a commissioned officer in the Pennsylvania National Guard, or equivalent length of service in the United States Army, at least five years of which service shall have been as a commissioned officer. In ascertaining the service, herein required, the time a person served in the army of the United States during any war, in which the United States was engaged, shall be computed double.

(b) Except as in this act otherwise provided, the members of all departmental administrative bodies, boards, and commissions, and the officers who shall fill the departmental administrative offices mentioned in this article,

(c) Except as in this act otherwise provided, the members of all advisory boards and commissions.

Section 208. Terms of Office.—The terms of office of the persons appointed by the Governor under the preceding section shall be as follows:

(a) The Secretary of the Commonwealth and the Attorney General shall serve during the pleasure of the Governor.

(b) The term of the Superintendent of Public Instruction shall be four years.

(c) Except as in this act otherwise provided, the heads of other administrative departments, the [Superintendent] *Commissioner* of the Pennsylvania [State] *Motor Police*, the members of independent administrative boards and commissions, of departmental administrative boards and commissions, and of advisory boards and commissions, and departmental administrative officers, shall hold office for terms of four years, from the third Tuesday of January next following the election of a Governor, and until their successors shall have been appointed and qualified: Provided, That the [terms of any persons whose terms of office are fixed by this subsection, who are] *term of the Commissioner of the Pennsylvania Motor Police* appointed prior to the third Tuesday of January, one thousand nine hundred and [thirty-one] *thirty-nine*, shall expire upon that date, or as soon thereafter as [their successors] *his successor* shall have been appointed and qualified.

Section 517. Administering Oaths.—The head of every administrative department, all deputy heads of administrative departments, every member of an independent administrative or departmental administrative board or commission, the [Superintendent] *Commissioner* of the Pennsylvania [State] *Motor Police*, every workmen's compensation referee, and such officers or employes of the several administrative departments, boards, or commissions, as the heads of such departments or such boards or commissions shall designate, shall have the power to administer oaths or affirmations anywhere in this Commonwealth, with regard to any matter or thing which may properly come before such department, board, commission, [superintendent] *commissioner* or referee, or any member of a board or commission, as the case may be.

Section 710. Pennsylvania [State] *Motor Police*.—The Pennsylvania [State] *Motor Police* shall have the power, and its duty shall be:

(a) Subject to any inconsistent provisions in this act contained, to continue to exercise the powers and perform the duties by law vested in and imposed upon the Department of State Police, *the Pennsylvania State Police, and the State Highway Patrol*;

(b) To assist the Governor in the administration and enforcement of the laws of the Commonwealth, in such manner, at such times, and in such places, as the Governor may from time to time request;

(c) With the approval of the Governor, to assist any administrative department, board, or commission, of the State Government, to enforce the laws applicable or appertaining to such department, board, or commission, or any organization thereof;

(d) Whenever possible, to cooperate with counties and municipalities in the detection of crime, the apprehension of criminals, and the preservation of law and order throughout the State;

(e) To aid in the enforcement of all laws relating to game, fish, forests, and waters;

(f) To collect and classify, and keep at all times available, complete information useful for the detection of crime, and the identification and apprehension of criminals. Such information shall be available for all police officers within the Commonwealth, under such regulations as the [Superintendent] *Commissioner* of [State] *Pennsylvania Motor Police* may prescribe.

(g) *To enforce the laws regulating the use of the highways of this Commonwealth, and to assist the Department of Revenue in the collection of motor license fees, fees for titling vehicles and tractors, operators' license fees, and the tax on liquid fuels, and the issuance of certificates of title and motor and operators' licenses.*

Section 711. [Superintendent] *Commissioner* of Pennsylvania [State] *Motor Police*.—The [Superintendent] *Commissioner* of Pennsylvania [State] *Motor Police* shall be the head and executive officer of the Pennsylvania [State] *Motor Police*. He shall provide, for the members of the [police force] *Motor Police Force*, suitable uniforms, arms, equipment, and, where it is deemed necessary, horses or motor vehicles, and make [such] rules and regulations, subject to the approval of the Governor, *prescribing qualifications prerequisite to, or retention of, membership in the force; for the enlistment, training, discipline, and conduct of the members of the force; for the selection and promotion of such members on the basis of merit; for the filing and hearing of charges against such members, and such other rules and regulations as are deemed necessary for the control and regulation of the [police force] Motor Police Force. The commissioner shall maintain a training school, to be known as the Pennsylvania Motor Police Training School, for the proper instruction of members of the Motor Police Force, which shall be situated at such place or places as the commissioner, with the approval of the Governor, may determine.* It shall also be the duty of the [superintendent] *commissioner* to estab-

lish local headquarters in various places, so as best to distribute the force through the various sections of the Commonwealth where they will be most efficient in carrying out the purposes of this *or any other* act to preserve the peace, [and] prevent and detect crime *and to police the highways*.

Section 712. The Pennsylvania [State] *Motor Police Force*.—The various members of the Pennsylvania [State] *Motor Police* are hereby authorized and empowered:

(a) To make arrests, without warrant, for all violations of the law, *including laws regulating the use of the highways*, which they may witness, and to serve and execute warrants issued by the proper local authorities. They shall have all the powers and prerogatives conferred by law upon members of the police force of cities of the first class, and upon constables of the Commonwealth;

(b) To act as game protectors, and as forest, fish, or fire wardens, and for the better performance of such duties,

(1) Seize all guns, boats, decoys, traps, dogs, game, fish, shooting paraphernalia, or hunting or fishing appliances or devices, used, taken, or had in possession, contrary to the laws of this State. Any article so seized shall be held subject to such disposition as the Commissioner of Fisheries or the Secretary of the Board of Game Commissioners or the Secretary of Forests and Waters may respectively determine.

(2) Seize and take possession of all birds, animals, or fish, which have been taken, caught or killed, or had in possession, or under control, or which have been shipped, or are about to be shipped, contrary to any law of this State.

(3) Search without warrant any boat, conveyance, vehicle, or receptacle, when there is good reason to believe that any law has been violated, the enforcement or administration of which is imposed on or vested in the Board of Fish Commissioners, or the Board of Game Commissioners, or in the Department of Forests and Waters.

(4) Serve subpoenas issued for any examination, investigation, or trial, had pursuant to any law as aforesaid.

(5) Purchase game or fish for the purpose of securing evidence.

Section 2502. [Enforcement of] *Vehicle [Code] and Tractor Codes*.—In [connection with] the collection of motor license fees, fees for titling [automobiles] *vehicles and tractors*, and operators' license fees, and the issuance of certificates of title and motor and operators' licenses, the Department of Revenue shall [enforce

the laws regulating the use of vehicles on the highways of this Commonwealth] *be entitled to such assistance from the Pennsylvania Motor Police as the department may deem necessary.*

The Secretary of Revenue may designate the person in charge of the work to which this section refers as the Commissioner of Motor Vehicles. [and shall establish, within his department, for the purpose of assisting in the collection of fees, the enforcement of the title provisions of the Vehicle Code, and the laws regulating the use of the highways by vehicles, a force to be known as the State Highway Patrol, which shall consist of such number of officers and men and be organized, trained, and disciplined in such manner as the Secretary of Revenue, with the approval of the Governor, may determine.]

Section 2. (a) All books, papers, maps, charts, plans, records, and equipment in the possession of the Pennsylvania State Police and the State Highway Patrol, or any officer or member thereof, shall, upon the effective date of this act, be delivered and turned over to the Pennsylvania Motor Police.

(b) All officers and employes of the Pennsylvania State Police and the State Highway Patrol and all officers and other members of the State Police Force and the State Highway Patrol, on the effective date of this act, shall continue to perform their usual duties, upon the same terms and conditions as theretofore, until removed or appointed to other positions by the Commissioner of Pennsylvania Motor Police. Persons who, upon the effective date of this act, are connected with the Pennsylvania State Police or the State Highway Patrol shall retain all retirement rights that shall have accrued or would thereafter accrue to them, and their services shall be deemed to have been continuous as if the Pennsylvania State Police and the State Highway Patrol had not been consolidated.

(c) All pending proceedings and all investigations begun by the Pennsylvania State Police and the State Highway Patrol, or any member or officer thereof, and not completed upon the effective date of this act, shall continue and remain in full force as if the Pennsylvania State Police and the State Highway Patrol had not been consolidated, and may be completed by the Pennsylvania Motor Police.

(d) Whenever the term "Pennsylvania State Police" or "State Police" or "State Highway Patrol" or "Highway Patrol" occurs in any law, or whenever in any law reference is made to the same, such term or reference shall be deemed to refer to and include the Pennsylvania Motor Police created by this act, so far as

such law pertains to such matters which are within the jurisdiction of such body.

Section 3. All acts or parts of acts inconsistent with this act are hereby repealed. Repeals.

Section 4. This act shall become effective immediately upon its final enactment. When effective.

APPROVED—The 29th day of June, A. D. 1937.

GEORGE H. EARLE

No. 456

AN ACT

To fix the number of Representatives in the General Assembly of the State; and to apportion the State into representative districts, as provided by the Constitution.

Section 1. Be it enacted, &c., That until the next decennial United States census and the apportionment be made thereon by law, the House of Representatives shall consist of two hundred and nine members, and shall be apportioned as follows, namely—

House of Representatives to consist of 209 members.

The city of Philadelphia shall elect forty members; and the said city shall be divided into twenty-one districts, as follows:

City of Philadelphia.

The first, second, and thirty-ninth wards shall constitute the first district, and elect three members.

First district.
Three members.

The twenty-sixth, thirty-sixth, and forty-eighth wards shall constitute the second district, and elect three members.

Second district.
Three members.

The third, fourth, fifth, sixth, eleventh, and twelfth wards shall constitute the third district, and elect one member.

Third district.
One member.

The seventh and thirtieth wards shall constitute the fourth district, and elect one member.

Fourth district.
One member.

The eighth, ninth, tenth, thirteenth, and fourteenth wards shall constitute the fifth district, and elect one member.

Fifth district.
One member.

The fifteenth, twenty-ninth, thirty-second, and forty-seventh wards shall constitute the sixth district, and elect three members.

Sixth district.
Three members.

The sixteenth and twentieth wards shall constitute the seventh district, and elect one member.

Seventh district.
One member.

The seventeenth, eighteenth, nineteenth, and thirty-first wards shall constitute the eighth district, and elect two members.

Eighth district.
Two members.

The twenty-eighth ward shall constitute the ninth district, and elect one member.

Ninth district.
One member.

The thirty-seventh and thirty-eighth wards shall constitute the tenth district, and elect two members.

Tenth district.
Two members.