

Appropriation.

Section 9. The sum of two hundred thousand dollars (\$200,000), or so much thereof as may be necessary, is hereby specifically appropriated out of the General Fund to the Pennsylvania Post-War Planning Commission for the payment of the salaries, wages and other compensation of the director, assistant director, and the experts, statisticians, clerks, stenographers and other assistants and employes; for the payment of traveling and other expenses authorized by this act; for postage, stationery, equipment, printing and supplies; for the making of researches, surveys, investigations, comprehensive plans and programs, and architectural and engineering plans and specifications, and any other expenses whatsoever, necessary for the proper conduct of the work of the commission.

Act effective immediately.

Section 10. This act shall become effective immediately upon its final enactment.

APPROVED—The 28th day of April, A. D. 1943.

EDWARD MARTIN

No. 52

AN ACT

To further 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 changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police.

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

The Administrative Code.

Act of April 9, 1929, P. L. 177, section 201, as last amended by act of August 5, 1941, P. L. 781, further amended.

Section 1. Section two hundred one 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 employes of certain departments, boards and commissions shall be determined," as last amended by the act, approved the fifth day of August, one thousand nine hundred forty-one (Pamphlet Laws, seven hundred eighty-one), is hereby further amended 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 [Motor] State 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, Department of Revenue, Department of Public Assistance, and Department of Commerce; and by the following independent administrative boards and commissions: Pennsylvania Game Commission, Board of Fish Commissioners, State Civil Service Commission and the Pennsylvania Public Utility Commission.

Pennsylvania
State Police.

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 [Motor] State Police.

* "Lieutenant-Governor" in original.

Section 2. Section two hundred five of said act, as last amended by the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, two thousand four hundred thirty-six), is hereby further amended to read as follows:

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

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

The Deputy Commissioner of the Pennsylvania [Motor] State Police shall be appointed by the Commissioner of Pennsylvania [Motor] State Police, with the approval of the Governor, and shall receive a salary at the rate of seven thousand five hundred dollars per annum.

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

Section 3. Section two hundred seven of said act, as last amended by the act, approved the sixth day of June, one thousand nine hundred thirty-nine (Pamphlet Laws, two hundred fifty), is hereby further amended to read as follows:

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 Commissioner of the Pennsylvania [Motor] State Police, the Secretary of Labor and Industry, the Secretary of Welfare, the Secretary of Property and Supplies, the Secretary of Revenue, the Secretary of Public Assistance, the Secretary of Commerce, and the members of all independent administrative boards and commissions.

The Adjutant General may have the rank of Brigadier General of the Adjutant General's Department in the Pennsylvania National Guard, or the Governor may designate the ranking line officer of the Pennsylvania National Guard as Adjutant General: Provided, That should the ranking line officer be also appointed Adjutant General, he shall receive only the salary provided by law for the Adjutant General: And provided further, That should the ranking line officer be called into the service of the United States, a Deputy Adjutant General, to be designated by the Governor, shall act as Adjutant General during his absence. No Adjutant General shall be appointed who shall not have served at least fifteen years as a commissioned officer in the Pennsylvania National Guard, or equivalent length of service in the Regular Army of the United States.

(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 4. Sections two hundred eight, five hundred seventeen, seven hundred ten, and seven hundred eleven of said act, as last amended by the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, two thousand four hundred thirty-six), are hereby further amended to read as follows:

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 Commissioner of the Pennsylvania [Motor] State 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 term of the Commissioner of the Pennsylvania [Motor] State Police appointed prior to the third Tuesday of January, one thousand nine hundred and thirty-nine, shall expire upon that date, or as soon thereafter as 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 Commissioner of the Pennsylvania [Motor] State 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, commissioner or referee, or any member of a board or commission, as the case may be.

Section 710. Pennsylvania [Motor] State Police.—The Pennsylvania [Motor] State 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, *and the Pennsylvania Motor Police;*

(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 Commissioner of Pennsylvania [Motor] State 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. Commissioner of Pennsylvania [Motor] State Police.—The Commissioner of Pennsylvania [Motor] State Police shall be the head and executive officer of the Pennsylvania [Motor] State Police. He shall provide, for the members of the [Motor] State Police Force, suitable uniforms, arms, equipment, and, where it is deemed necessary, horses or motor vehicles, and make 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 [Motor] State Police Force. The commissioner shall maintain a training school, to be known as the Pennsylvania [Motor] State Police Training School, for the proper instruction of members of the [Motor] State 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 commissioner to establish 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, prevent and detect crime and to police the highways.

Section 5. Section seven hundred twelve of said act, as last amended by the acts, approved the twenty-first day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, one thousand eight hundred sixty-five), and the twenty-ninth day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, two thousand four hundred thirty-six), is hereby further amended to read as follows:

Section 712. The Pennsylvania [Motor] State Police Force.—The various members of the Pennsylvania [Motor] State 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 Executive Director of the Pennsylvania Game Commission 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 Pennsylvania Game Commission 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 6. Section two thousand five hundred two of said act, as last amended by the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, two thousand four hundred thirty-six), is hereby further amended to read as follows:

Section 2502. Vehicle and Tractor Codes.—In the collection of motor license fees, fees for titling vehicles and tractors, and operators' license fees, and the issuance of certificates of title and motor and operators' licenses, the Department of Revenue shall be entitled to such assistance from the Pennsylvania [Motor] State 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.

Section 7. (a) All books, papers, maps, charts, plans, records, and equipment in the possession of the Pennsylvania Motor Police, or any officer or member thereof, shall upon the effective date of this act, be delivered and turned over to the Pennsylvania State Police.

(b) The Commissioner, all officers and employes of the Pennsylvania Motor Police 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 according to law. Persons who, upon the effective date of this act, are connected with the Pennsylvania Motor Police, 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 name of the Pennsylvania Motor Police had not been changed to Pennsylvania State Police.

(c) All pending proceedings and all investigations begun by the Pennsylvania Motor Police 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 name of the Pennsylvania Motor Police had not been changed to Pennsylvania State Police, and may be completed by the Pennsylvania State Police.

(d) Whenever the term "Pennsylvania Motor 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 State Police, whose name is changed by this act from Pennsylvania Motor Police, so far as such law pertains to such matters as are within the jurisdiction of such body.

Section 8. All acts or parts of acts inconsistent with this act are hereby repealed.

Section 9. This act shall become effective on the first day of June, one thousand nine hundred forty-three.

Act effective
June 1, 1943.

APPROVED—The 28th day of April, A. D. 1943.

EDWARD MARTIN

No. 53

AN ACT

To amend the title and the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, two thousand four hundred twenty), entitled "An act fixing the hours of rest each calendar week, and the vacation period of members of the Pennsylvania Motor Police, Motor Police and Patrolmen and Guards in State Parks," by changing the name of the Pennsylvania Motor Police to Pennsylvania State Police.

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