

REORGANIZATION PLAN NO. 3 OF 1973

Section 1. The State Bureau of Standard Weights and Measures, together with its functions, powers and duties, including but not limited to those functions, powers and duties set forth in the acts listed in section 2 of this Reorganization Plan, is transferred from the Department of Justice, where it has been a departmental bureau, to the Department of Agriculture, where it shall be a departmental bureau known as the State Bureau of Standard Weights and Measures, with all the powers, functions and duties it previously possessed.

Section 2. The functions, powers and duties of the Department of Justice, as set forth in or created by the following acts, are transferred from the Department of Justice to the Department of Agriculture:

(1) The act of May 11, 1911 (P.L.275, No.177), entitled "An act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and expenses; prescribing their duties; prohibiting vendors from giving false or insufficient weights; and fixing the penalties for the violation of the provisions hereof."

(2) The act of May 5, 1921 (P.L.389, No.187), entitled "An act to regulate and control the manufacture, sale, offering for sale, giving away, and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania; providing for the approval and disapproval of such weights, measures, and devices by the Bureau of Standards; and prescribing penalties."

(3) The act of July 19, 1935 (P.L.1356, No.427), entitled, as amended, "An act to regulate the sale and delivery of solid fuel, as herein defined; providing for appointment of licensed weighmasters; prescribing their powers and duties; authorizing substitute licensed weighmasters; imposing certain duties on the Department of Justice; and providing penalties."

(4) The act of May 11, 1949 (P.L.1116, No.330), entitled, as amended, "An act to regulate deliveries of light fuel oil to domestic consumers; conferring powers and imposing duties on the Department of Justice and the inspectors of weights and measures of the several counties and cities; and prescribing penalties."

(5) The act of April 28, 1961 (P.L.135, No.64), known as the "Public Weighmaster's Act."

(6) The act of December 1, 1965 (P.L.988, No.368), known as the "Weights and Measures Act of 1965."

Section 3. The functions, powers and duties of the Attorney General with respect to the State Bureau of Standard Weights and Measures, including the functions, powers and duties set forth in or created by the acts listed in section 2 of this Reorganization Plan, are transferred from the Attorney General to the Secretary of Agriculture.

Section 4. There are hereby transferred to the Department of Agriculture, to be used, employed and expended in connection with the functions, powers and duties transferred by sections 1, 2 and 3 of this Reorganization Plan, the records, files, property, supplies and equipment now being used or held in connection with such functions, powers and duties; the personnel employed in connection with such functions, powers and duties; and the unexpended balances of appropriations, allocations and other funds available or to be made available for use in connection with such functions, powers and duties.

Section 5. The acts listed in section 2 of this Reorganization Plan or any pertinent parts thereof are suspended in so far as they are in conflict with this Reorganization Plan and in so far as they impose any powers, functions or duties on the Attorney General or on the Department of Justice.

Section 6. This Reorganization Plan shall take effect July 1, 1973.

(Reorganization Plan No. 3 of 1973, transmitted to the General Assembly on April 2, 1973, was approved by a majority vote of the duly elected membership of each House of the General Assembly, the last approval having occurred on May 22, 1973.)