

Section 19. Inconsistent Acts Repealed; Time of Taking Effect; Application.—All acts and parts of acts inconsistent with this act are hereby repealed; and this act shall take effect upon its enactment but shall not apply to contracts made prior to the taking effect of this act. If any part of this act shall be declared to be invalid or unconstitutional, the remaining parts hereof shall be and remain the valid act of the Legislature.

Repeal.

Effective date.

Severability of act.

APPROVED—The 25th day of April, A. D. 1927.

JOHN S. FISHER

No. 249

AN ACT

To further amend paragraph six of section one of an act, approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, eight hundred and fifty-eight), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending its provisions to certain employes in offices of registers of wills.

Section 1. Be it enacted, &c., That paragraph six of section one of an act, approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, eight hundred and fifty-eight), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," which was amended by an act, approved the sixth day of April, one thousand nine hundred and twenty-five (Pamphlet Laws, one hundred and forty-seven), entitled "An act to amend paragraph six of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, eight hundred fifty-eight), entitled 'An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds

State employes' retirement system.

Section 1 of act of June 27, 1923 (P. L. 858), as amended by act of April 6, 1925 (P. L. 147), further amended.

from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties; by extending its benefits to certain employes of the Department of Public Instruction and of the Legislature," is hereby further amended to read as follows:

"State employe."

Includes State employes in office of a register of wills.

[Six] 6. "State employe" shall mean any person holding a State office under the Commonwealth of Pennsylvania, or employed by the year or by the month by the State Government of the Commonwealth of Pennsylvania, in any capacity whatsoever; *and shall include also any attorney, solicitor, investigator, appraiser, and clerk employed by the year or by the month in the office of any register of wills, howsoever appointed, whose compensation is actually paid from Commonwealth moneys.* But the term "State employe" shall not include judges, and it also shall not include those persons defined as employes in section one, paragraph seven of the act, approved the eighteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand forty-three), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," as amended by section one, paragraph seven of the act, approved the twenty-first day of April, one thousand nine hundred and twenty-one (Pamphlet Laws, two hundred forty-five), excepting such officers and employes of the Department of Public Instruction as are not members of or who may withdraw from the public school employes' retirement association provided by said act; and no member shall be deprived of credit for prior service as a State employe because of the fact that such service was rendered while he or she was a member of the public school employes' retirement association.

The term "State employe" shall also include all State officers and employes regularly employed by the

year or by the month at a fixed annual or monthly compensation when the General Assembly is not in session, but who, during a legislative session, instead of a fixed annual or monthly salary or compensation are paid upon a per diem basis or by a fixed salary or compensation from the legislative session.

In all cases of doubt the retirement board shall determine whether any person is a State employe as defined in this paragraph, and its decision shall be final.

APPROVED—The 25th day of April, A. D. 1927.

JOHN S. FISHER

No. 250

AN ACT

Relating to aeronautics; regulating the licensing of aircraft and airmen and the establishment of airports and landing fields; imposing duties and conferring powers upon the Department of Internal Affairs; and providing penalties.

Section 1. Be it enacted, &c., That it shall be unlawful to navigate any civil aircraft in the navigable airspace over or above the territory or waters of the State of Pennsylvania, without a Pennsylvania aircraft and airman's license, issued by the Department of Internal Affairs, except where such aircraft and airmen are licensed or operate under the authority of laws of the United States. From time to time the Department of Internal Affairs shall adopt, promulgate, and enforce regulations providing for the application for, and the granting and denying of, such licenses, and for the suspension and revocation thereof. Licenses shall be suspended, revoked, or denied, only after the applicant or licensee shall have been accorded a hearing, or opportunity for hearing thereon. The department shall not require the licensing of aircraft and airmen licensed under the laws of the United States, nor of aircraft or airmen serving in the military or naval or any other department of the United States Government, or of this State. No aircraft or airmen shall be licensed under this act, unless the aircraft shall have been found by the department to be airworthy, and the airmen competent. The qualifications of airmen and the requirement of airworthiness shall be fixed by regulations of the department.

Section 2. The department shall make a survey of the desirable and economic locations of airports and landing fields in this State, and shall, from time to time, adopt, promulgate, and enforce regulations for the licensing of municipal airports and landing fields.

Aeronautics.

Unlawful to navigate without license.

Regulations as to licenses.

Aircraft and airmen of United States excepted.

Qualifications of aircraft and airmen.

Survey of locations for airports.