

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 618** Session of
1989

INTRODUCED BY PITTS, NAILOR, VROON, DEMPSEY, D. W. SNYDER, REBER, JACKSON, FARGO, SCHEETZ, FLEAGLE, LEVDANSKY, HESS, WOGAN, FOX, HECKLER, CARLSON, TRELLO, MICOZZIE, BELARDI, ROBBINS, VEON, CIVERA, PHILLIPS, ITKIN, HALUSKA, MARKOSEK, NOYE, CAWLEY, JOHNSON, J. L. WRIGHT, GIGLIOTTI, DISTLER, LAUGHLIN, STUBAN, GRUPPO, OLASZ, CLYMER, BUNT, SERAFINI, SAURMAN, FLICK, MORRIS, E. Z. TAYLOR, MELIO, McVERRY, DeLUCA, GEIST, BARLEY, STAIRS, SEMMEL, MERRY, J. H. CLARK, BUSH AND HERSHEY, MARCH 6, 1989

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
SEPTEMBER 25, 1990

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employes of certain departments, boards and
20 commissions shall be determined," providing for resident
21 State troopers; ~~and making appropriations.~~ ←

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

1 Section 1. Section 205(b) of the act of April 9, 1929
2 (P.L.177, No.175), known as The Administrative Code of 1929,
3 amended December 28, 1972 (P.L.1649, No.349), is amended AND THE <—
4 SECTION IS AMENDED BY ADDING A SUBSECTION to read:

5 Section 205. Pennsylvania State Police.--* * *

6 (b) The State Police Force shall consist of such number of
7 officers and men, and shall be organized in such manner, as the
8 Commissioner of Pennsylvania State Police, with the approval of
9 the Governor, shall from time to time determine: Provided,
10 however, That [during the fiscal year 1971-1972, the number of
11 officers and men shall not exceed in the aggregate at any time,
12 three thousand seven hundred ninety persons, and during the
13 fiscal year 1972-1973 and thereafter,] the number of officers
14 and men shall not exceed in the aggregate at any time three
15 thousand nine hundred and forty persons. State policemen, both
16 officers and men, assigned to duty with the Pennsylvania
17 Turnpike Commission or assigned to duty as resident State
18 troopers, shall not be counted in determining the total number
19 of officers and men in the State Police Force.

20 * * *

21 (G) THE PENNSYLVANIA STATE POLICE FORCE SHALL INCLUDE, BUT <—
22 NOT BE LIMITED TO, TWO UNDERWATER SEARCH TEAMS, ONE OF WHICH
23 SHALL BE IN EASTERN PENNSYLVANIA AND ONE OF WHICH SHALL BE IN
24 WESTERN PENNSYLVANIA.

25 Section 2. Section 712 of the act is amended by adding a
26 subsection to read:

27 Section 712. The Pennsylvania State Police Force.--The
28 various members of the Pennsylvania State Police are hereby
29 authorized and empowered:

30 * * *

1 (c) To enforce municipal ordinances as well as all other
2 laws, civil and criminal, in municipalities which have
3 contracted for the services of a resident State trooper under
4 section 713. Only the resident State trooper assigned to the
5 municipality shall be empowered as provided in this section.

6 Section 3. The act is amended by adding a section to read:

7 Section 713. Resident State Trooper Program.--(a) The
8 Commissioner of the Pennsylvania State Police may appoint
9 members of the regular Pennsylvania State Police Force to be
10 resident State troopers, assigned on a regular basis to a
11 municipality or adjacent municipalities which do not have an
12 organized police force, if the municipality or municipalities
13 agree to pay ~~ninety five per centum~~ of the ENTIRE cost of <—
14 providing the resident State trooper service. Each resident
15 State trooper shall have the same powers and be entitled to the
16 same rights and subject to the same rules and regulations as
17 other members of the State Police Force.

18 (b) In order to implement the resident State trooper
19 program, the Commissioner of the Pennsylvania State Police is
20 authorized to enter into agreements with boroughs and first and
21 second class townships for the furnishing of police protection
22 by one or more resident State troopers on a contractual basis.
23 The contract price for such services shall be the ~~actual cost~~ <—
24 FULL DIRECT AND INDIRECT COSTS of providing the police <—
25 protection AS DETERMINED BY THE COMMISSIONER OF THE PENNSYLVANIA <—
26 STATE POLICE, and moneys paid for the police services shall be
27 credited to the General Fund and used for the express purpose of
28 financing the services for which the contract price was paid.
29 Fifty additional personnel are hereby authorized to meet the
30 initial staffing requirements of the Pennsylvania State Police

1 resulting from any agreements executed pursuant to this
2 subsection.

3 (c) The Commissioner of the Pennsylvania State Police shall
4 promulgate such rules and regulations as may be necessary to
5 implement the resident State trooper program and the contractual
6 agreements authorized by this section. The rules and regulations
7 shall:

8 (1) Allow adjacent municipalities to join together to
9 request the services of and share in the costs of a resident
10 State trooper. If more than one adjacent municipality shall
11 request the services of a single resident State trooper, the
12 Commissioner of the Pennsylvania State Police may determine that
13 the geographic area is too large to be covered by one resident
14 State trooper, and that one or more additional resident State
15 troopers must be assigned in order to provide the geographic
16 area with adequate police protection.

17 (2) Require that, as a prerequisite to applying for the
18 services of a resident State trooper, a municipality or
19 municipalities shall adopt a resolution or ordinance authorizing
20 a contractual arrangement with the Pennsylvania State Police for
21 the payment by the municipality or municipalities of ninety per <—
22 centum of the OF THE ENTIRE costs incurred in connection with <—
23 the provision of the services, with the Commonwealth being
24 responsible for ten per centum of the costs.

25 (3) Require resident State troopers to remain under the
26 direct control of the Pennsylvania State Police with supervision
27 to be provided by the commanding officer of the field
28 installation having jurisdiction over the municipality or
29 municipalities contracting for the services of the resident
30 State trooper. The commanding officer shall determine the number

1 of supervisors for the resident State troopers assigned to his
2 field installation. Each resident State trooper shall operate
3 out of his assigned field installation, which shall be his
4 official duty station.

5 (4) Require all resident State troopers to reside within the
6 geographic area served by the field installation having
7 jurisdiction over the municipality or municipalities to which
8 the resident State trooper is assigned.

9 (5) Require that all organizational orders, regulations and
10 directives issued by the Pennsylvania State Police apply with
11 full force to resident State troopers.

12 (6) Require such matters as the geographic area served,
13 hours of duty and type of duties to be arranged by the commander
14 of the field installation in cooperation with the governing body
15 of the municipality or municipalities.

16 (7) Require that an on-duty resident State trooper not leave
17 his assigned municipality or municipalities without the
18 authorization of the commander of the field installation, and
19 require that the commander not remove a resident State trooper
20 from his area of jurisdiction during assigned hours except in
21 cases of extreme emergency, in which case the governing body of
22 the contracting municipality or municipalities shall be
23 notified.

24 (8) Require resident State troopers to be in uniform at all
25 times during assigned working hours, unless authorized by the
26 commander of the field installation to work in civilian attire.

27 (9) Require resident State troopers to enforce all municipal
28 ordinances of the contracting municipality or municipalities, as
29 well as the Vehicle Code and criminal laws of this Commonwealth.

30 (10) Require that all supplies and equipment including

1 vehicles, radios, etc., be obtained by the resident trooper from
2 the supervising field installation.

3 ~~Section 4. (a) The sum of \$250,000, or as much thereof as~~ <—
4 ~~may be necessary, is hereby appropriated from the General Fund~~
5 ~~to the Pennsylvania State Police to pay for the Commonwealth~~
6 ~~share of the costs of the resident State trooper program~~
7 ~~established by this act.~~

8 ~~(b) The sum of \$750,000, or as much thereof as may be~~
9 ~~necessary, is hereby appropriated from the General Fund to the~~
10 ~~Pennsylvania State Police to pay for enlarged State Police cadet~~
11 ~~training classes, which shall be needed to implement the~~
12 ~~resident State trooper program authorized by this act.~~

13 ~~Section 5 4. This act shall take effect in 60 days.~~ <—