

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 318 Session of
2007

INTRODUCED BY RAFFERTY, BOSCOLA, FONTANA, TARTAGLIONE, GORDNER,
BRUBAKER, COSTA, GREENLEAF, STACK, MELLOW, BAKER, LOGAN AND
RHOADES, MARCH 9, 2007

SENATOR RAFFERTY, LAW AND JUSTICE, AS AMENDED, MARCH 28, 2007

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," further providing for the
21 Pennsylvania State Police; and making a repeal.

22 The General Assembly of the Commonwealth of Pennsylvania

23 hereby enacts as follows:

24 Section 1. Section 205 of the act of April 9, 1929 (P.L.177,
25 No.175), known as The Administrative Code of 1929, amended or
26 added July 25, 1963 (P.L.278, No.148), December 5, 1967

27 (P.L.673, No.313) AND July 11, 1991 (P.L.73, No.12) and repealed <—

1 in part December 13, 2001 (P.L.903, No.100), is amended to read:

2 Section 205. Pennsylvania State Police.--(a) The
3 Pennsylvania State Police shall consist of a Commissioner, [a
4 Deputy Commissioner, the State police force, and the State
5 Highway Patrol] Deputy Commissioners and enlisted members, as
6 now authorized by law, which are hereby consolidated into one
7 force, to be known as the [State Police Force] Pennsylvania
8 State Police, and such chiefs, statisticians, clerks, experts
9 and other assistants, as the commissioner, with the approval of
10 the Governor, shall deem necessary for the work of the force.

11 (b) The [State Police Force] Pennsylvania State Police shall
12 consist of such number of officers and [men] enlisted members,
13 and shall be organized in such manner, as the Commissioner of
14 Pennsylvania State Police, with the approval of the Governor,
15 shall from time to time determine: Provided, however, That the
16 number of officers and [men] enlisted members shall not exceed
17 in the aggregate at any time [three thousand nine hundred and
18 forty] four thousand three hundred ten persons. State policemen,
19 both officers and [men] enlisted members, assigned to duty with
20 the Pennsylvania Turnpike Commission [or assigned to duty as
21 resident State troopers], Delaware River Toll Bridge Commission,
22 Gaming Enforcement and Liquor Control Enforcement shall not be
23 counted in determining the total number of officers and [men]
24 enlisted members in the [State Police Force] Pennsylvania State
25 Police.

26 (c) The members of the [State Police Force] Pennsylvania
27 State Police and the chiefs, statisticians, clerks, experts, and
28 other assistants, engaged in the work of the Pennsylvania State
29 Police shall be appointed by the commissioner, and shall receive
30 such compensation as shall be fixed by the commissioner, with

1 the approval of the Governor, which compensation shall, however,
2 conform to the standards established by the Executive Board.

3 (d) Any member of the Pennsylvania State Police, except the
4 Commissioner and Deputy Commissioner, regardless of rank, who
5 has attained or who shall attain the age of sixty years, shall
6 resign from membership in the said police force: Provided,
7 however, That the provision of this paragraph shall not apply to
8 members of the State Police Force who upon attaining the age of
9 sixty years shall have less than twenty years of service. Upon
10 completion of twenty years of service, the provision of this
11 paragraph shall become applicable to such persons.

12 (e) No enlisted member of the Pennsylvania State Police
13 shall be dismissed from service or reduced in rank except by
14 action of a court martial board held upon the recommendation of
15 the Commissioner of the Pennsylvania State Police and the
16 Governor.

17 (f) All new cadets and troopers shall serve a probationary
18 period of eighteen months from date of original enlistment,
19 during which time they may be dismissed by the commissioner for
20 violations of rules and regulations, incompetency, and
21 inefficiency without action of a court-martial board or the
22 right of appeal to a civil court.

23 [(g) The Pennsylvania State Police force shall include, but
24 not be limited to, two underwater search teams, one of which
25 shall be in eastern Pennsylvania and one of which shall be in
26 western Pennsylvania.]

27 (H) A PENNSYLVANIA STATE POLICE BARRACKS SHALL BE OPEN TO
28 THE PUBLIC AND MANNED BY AN OFFICER OR CIVILIAN PERSONNEL
29 TWENTY-FOUR HOURS A DAY, SEVEN DAYS A WEEK, EXCEPT WHEN
30 PREVENTED BY EMERGENCY.

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1 Section 2. Repeals are as follows:

2 (1) The General Assembly declares that the repeal under
3 paragraph (2) is necessary to effectuate the amendment of
4 section 205 of the act.

5 (2) The act of December 13, 2001 (P.L.903, No.100),
6 entitled "An act repealing in part a limitation on the
7 complement of the Pennsylvania State Police," is repealed.

8 Section 3. This act shall take effect in 60 days.