

DEPARTMENT OF FORESTRY ESTABLISHED
Act of Feb. 25, 1901, P.L. 11, No. 9
AN ACT

Cl. 32

To establish a Department of Forestry, to provide for its proper administration, to regulate the acquisition of land for the Commonwealth, and to provide for the control, protection and maintenance of Forestry Reservations by the Department of Forestry.

Compiler's Note: Section 302(h) of Act 18 of 1995, which created the Department of Conservation and Natural Resources and renamed the Department of Environmental Resources as the Department of Environmental Protection, provided that the Department of Conservation and Natural Resources shall exercise the powers and duties conferred upon the Commissioner of Forestry and the State Forestry Reservation Commission by Act 9 of 1901.

Section 1. (1 repealed Jun. 7, 1923, P.L.498, No.274)

Section 2. (2 repealed Dec. 6, 1972, P.L.1482, No.334)

Section 3. That the Commissioner of Forestry shall be the President and Executive Officer of the Forestry Reservation Commission, and also Superintendent of the State Forestry Reservations, and shall have immediate control and management, under the direction of the Forestry Reservation Commission, of all forest lands already acquired or which may hereafter be acquired by the Commonwealth, but the power so conferred upon said Commissioner of Forestry shall not extend to the enforcement of the laws relating to public health or the protection of fish and game. It shall be the duty of the Commissioner of Forestry to encourage and promote the development of forestry, and to obtain and publish information respecting the extent and condition of forest lands in the State, and to execute all rules and regulations adopted by the Forestry Reservation Commission for the enforcement of all laws designed for the protection of forests from fire and depredation; and he is hereby empowered to employ such detective service, and such legal or other services, as may be necessary for the protection of the forestry reservations owned by the Commonwealth and for the apprehension and punishment of persons who may violate any of the forestry reservation laws, or any of the rules and regulations, which, under the powers herein given, may be adopted by the Forestry Reservation Commission: Provided, That the services so employed and the expenses that may thereby be incurred shall be approved by said Forestry Reservation Commission and the Governor of the Commonwealth.

Section 4. (4 repealed Jun. 7, 1923, P.L.498, No.274)

Section 5. The Commissioner of Forestry shall have an office at the State Capitol, and it shall be the duty of the Board of Commissioners of Public Grounds and Buildings to provide, from time to time, the necessary rooms, furniture, apparatus and supplies, for the use of the Department of Forestry created under the provisions of this act.

Section 6. All moneys appropriated by the General Assembly in the general appropriation act of one thousand eight hundred and ninety-nine for the Division of Forestry of the State Department of Agriculture, as for salaries or contingent fund, which may remain unexpended at the time of the approval of this act, shall be transferred to and be vested in the Department of Forestry, hereby created; and the clerk of the Commissioner of Forestry, hitherto appointed under the law creating the Department of Agriculture, shall be transferred from the Department of Agriculture to the Department of Forestry on the same salary that he now receives.

Section 7. The purchase money for lands acquired and all expenses that may be incurred, except the salaries of the Commissioner of Forestry and his clerk, shall be paid by the State Treasurer out of any moneys in the Treasury not otherwise appropriated, on warrant of the Auditor General, upon vouchers duly approved by resolution of the Forestry Reservation Commission and the Governor of the Commonwealth.

Section 8. The title of all lands acquired by the Commonwealth for forestry reservations shall be taken in the name of the Commonwealth and shall be held by the Commissioner of Forestry, and such lands shall not be subject to warrant, survey or patent, under the laws of the Commonwealth authorizing the conveyance of vacant or unappropriated lands, and all such forestry reservation lands shall be exempt from taxation from the time of their acquisition. In all cases where lands have been purchased, or may hereafter be purchased, by the Forestry Reservation Commission for forest reservations, where there are public roads, regularly established, running into or through said lands, the Commissioner of Forestry, under such rules and regulations as the Forestry Reservation Commission is hereby authorized to adopt, may expend a sum not exceeding twenty-five dollars per mile in each year for the maintenance, repair or extension of any such roads, and on roads bordering on reservations one-half of this rate per mile may be expended. All expenses that may thus be incurred shall be subject to the approval of the Forestry Reservation Commission and the Governor of the Commonwealth, and shall be paid in the same manner as other expenses are provided for in this act.

Section 9. The Commissioner of Forestry shall receive the moneys to which the State may be entitled by virtue of the sale of any timber, or by virtue of any leases or contracts relating to the disposition of minerals, as hereinbefore provided, and he shall immediately pay the same over to the State Treasurer as a part of the revenue of the Commonwealth. The said Commissioner of Forestry shall give his bond to the Commonwealth, with two sureties, to be approved by the Governor, in the sum of ten thousand dollars, for the faithful discharge of the duties imposed by this act and for the proper accounting of any moneys to the Commonwealth that may come into his hands by virtue of his position as Commissioner of Forestry.

Section 10. (10 repealed Jun. 7, 1923, P.L.498, No.274)