

Section 5-A. There shall be established and constituted in such [city] *cities* a civil service commission, consisting of [three] *five* civil service commissioners [who shall be elected by the city council by a majority vote of all the members elected thereto] *two of whom shall be appointed by the mayor of such cities, and two of whom shall be appointed by the city controller of such cities, and the four commissioners so appointed shall elect a fifth commissioner within thirty days after their appointment,* and shall hold office for a term of four years and until their successors are severally [elected] *appointed* and qualified. Vacancies in the office of civil service commissioner shall, in like manner, be filled for the remainder of the term *by the appointing power which appointed the person whose vacancy is to be filled.* The commissioners shall elect from among their own number a president and secretary. Each commissioner shall qualify by filing with the mayor an oath to perform the duties of his office faithfully and without fear or favor.

Civil service commission in cities of the first class.

Membership of the commission.

Term of office.

Vacancies.

Section 2. This act shall become effective immediately upon its final enactment.

When effective.

APPROVED—The 30th day of March, A. D. 1937.

GEORGE H. EARLE

No. 42

AN ACT

Requiring persons employing others in or about motion picture theatres to allow them at least one calendar day of rest in each calendar week.

Section 1. Be it enacted, &c., That every employer operating or having operated a place in which motion pictures are shown, shall allow each person employed in or about such place at least one calendar day of rest in each calendar week. Such day of rest shall be at least twenty-four consecutive hours of duration.

Employers operating motion picture houses must give employes one day of rest each week.

Section 2. The term "employer," as used herein, shall mean the person employing such employes hereinabove referred to, whether owner or a duly authorized agent of the owner, or other subordinate of the owner.

"Employer," defined.

Section 3. Any person who violates or does not comply with the provisions of this act, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced for a first offense to pay a fine of not less than twenty nor more than fifty dollars; for a second offense to pay a fine of not less than fifty nor more than two hundred and fifty dollars, or by imprisonment for not more than thirty days, or both; for a third offense by

Penal provision.

a fine of not less than two hundred and fifty dollars, or by imprisonment for not more than sixty days, or both.

Inconsistent
acts repealed.

Section 4. All acts and parts of acts inconsistent with this act are hereby repealed.

When effective.

Section 5. This act shall become effective immediately upon its final enactment.

APPROVED—The 31st day of March, A. D. 1937.

GEORGE H. EARLE

No. 43

AN ACT

Creating a commission to be known as the Pennsylvania Public Utility Commission; defining in part the powers and duties of such commission; abolishing The Public Service Commission of the Commonwealth of Pennsylvania, terminating the terms of the members thereof, and transferring to the Pennsylvania Public Utility Commission the records, employes, property, and equipment of The Public Service Commission of the Commonwealth of Pennsylvania; authorizing the Pennsylvania Public Utility Commission to appear in and complete all pending proceedings, legal or otherwise, instituted before, by or against The Public Service Commission of the Commonwealth of Pennsylvania; providing that all certificates of public convenience, contracts, orders, and rules and regulations of the latter commission shall remain effective until repealed, changed or modified by the Pennsylvania Public Utility Commission, and transferring and appropriating to the Pennsylvania Public Utility Commission any unexpended balance of any existing appropriation to The Public Service Commission of the Commonwealth of Pennsylvania.

Be it enacted, &c., As follows:

Pennsylvania
Public Utility
Commission
created.

Section 1. (a) A commission to be known as the Pennsylvania Public Utility Commission is hereby created. The commission shall consist of five members who shall be appointed by the Governor, by and with the advice and consent of two-thirds of all the members of the Senate. The commissioners first appointed under this act, shall continue in office for terms of two, four, six, eight, and ten years, respectively, from the effective date of this act, and until their respective successors shall be duly appointed and shall be qualified, but their successors shall each be appointed for a term of ten years. Each commissioner, at the time of his appointment and qualification, shall be a resident of the Commonwealth of Pennsylvania, and shall have been a qualified elector therein for a period of at least one year next preceding his appointment, and shall also be not less than thirty years of age.

Terms of office.

Qualifications
of members.

Governor to
designate the
chairman.

(b) A member designated by the Governor shall be the chairman of the commission during such member's term of office. When present, the chairman shall preside at all meetings, but in his absence a member, designated