

No. 1991-12

AN ACT

SB 820

Amending the act of April 9, 1929 (P.L.177, No.175), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," providing for resident State troopers; providing for underwater search teams; and making a repeal.

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

Section 1. Section 205(b) of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, amended December 28, 1972 (P.L.1649, No.349), is amended and the section is amended by adding a subsection to read:

Section 205. Pennsylvania State Police.—* * *

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

* * *

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

Section 2. The act is amended by adding a section to read:

Section 713. Resident State Trooper Program.—(a) The Commissioner of the Pennsylvania State Police may appoint members of the regular

Pennsylvania State Police Force to be assigned on a regular basis to a municipality or adjacent municipalities which, on the effective date of this act, do not have an organized police force, if the municipality or municipalities agree to pay the entire cost of providing the State trooper service.

(b) In order to implement this section, the Commissioner of the Pennsylvania State Police is authorized to enter into agreements with boroughs and first and second class townships for the furnishing of police protection by one or more resident State troopers on a contractual basis. The contract price for such services shall be the full direct and indirect costs of providing the police protection as determined by the Commissioner of the Pennsylvania State Police, and moneys paid for the police services shall be credited to the General Fund and used for the express purpose of financing the services for which the contract price was paid. Fifty additional personnel are hereby authorized to meet the initial staffing requirements of the Pennsylvania State Police resulting from any agreements executed pursuant to this subsection.

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

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

(2) Require that, as a prerequisite to applying for the services of a resident State trooper, a municipality or municipalities shall adopt a resolution or ordinance authorizing a contractual arrangement with the Pennsylvania State Police for the payment by the municipality or municipalities of the entire costs incurred in connection with the provision of the services.

(3) Require resident State troopers to remain under the direct control of the Pennsylvania State Police with supervision to be provided by the commanding officer of the field installation having jurisdiction over the municipality or municipalities contracting for the services of the resident State trooper. The commanding officer shall determine the number of supervisors for the resident State troopers assigned to his field installation. Each resident State trooper shall operate out of his assigned field installation, which shall be his official duty station.

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

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

(6) Require such matters as the geographic area served, hours of duty and type of duties to be arranged by the commander of the field installation

in cooperation with the governing body of the municipality or municipalities.

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

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

(9) Require resident State troopers to enforce the Vehicle Code and criminal laws of this Commonwealth.

(10) Require that all supplies and equipment, including vehicles, radios, etc., be obtained by the resident trooper from the supervising field installation.

(d) This section shall expire December 31, 1992, unless reenacted by the General Assembly.

Section 3. The appropriation for the resident Pennsylvania State Police officer program contained in section 223 of the act of July 1, 1990 (P.L.1591, No.7A), known as the General Appropriation Act of 1990, is repealed.

Section 4. Except for section 713(c) of the act which shall take effect immediately, this act shall take effect July 1, 1991.

APPROVED—The 11th day of July, A. D. 1991.

ROBERT P. CASEY