

No. 298.

AN ACT

To amend an act, approved the twenty-fifth day of February, one thousand nine hundred and one (Pamphlet Laws, page eleven), entitled "An act 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," as amended; by establishing additional bureaus and offices in said department, establishing forest districts; providing for forest officers, assistants, and labor; providing for the salaries of the officers and employes of the department; fixing the amount of expenditures for the acquisition of land; and repealing certain acts.

Department of
Forestry.

Section 1. Be it enacted, &c., That section one of an act, entitled "An act 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," approved February twenty-fifth, one thousand nine hundred and one (Pamphlet Laws, page eleven), which, as amended by an act, entitled "An act to amend an act, entitled 'An act 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,' approved the twenty-fifth day of February, one thousand nine hundred and one (Pamphlet Laws, page eleven), by changing the name or title of the State Forestry Reservation Commission; providing for the acquisition of land to be used as State forests by condemnation proceedings; regulating the appointment and compensation of subordinate officials of said department; providing for the publication of the results of forestal investigations; changing the method of disposing of minerals on State forests; and fixing the compensation of the Commissioner of Forestry and the Deputy Commissioner of Forestry," approved July seventh, one thousand nine hundred and nineteen (Pamphlet Laws, page seven hundred twenty-seven) reads as follows:—

Section 1, act of February 25, 1901 (P. L. 11), as amended by section 1, act of July 7, 1919 (P. L. 727), cited for amendment.

"Section 1. Be it enacted, &c., That there be and is hereby established a Department of Forestry, to consist of a Commissioner of Forestry and four other citizens of the Commonwealth, who together shall constitute the State Forest Commission; each of whom shall be appointed and commissioned by the Governor, by and with the advice and consent of the Senate, for terms of four years each; the present Commissioner of Forestry and members of the State Forestry Reserva-

tion Commission to serve for the terms for which they have heretofore been appointed and confirmed, and thereafter, as new appointments shall be made, for the full term of four years each. The Commissioner of Forestry and the State Forest Commission shall be clothed with all the powers heretofore conferred by law upon the State Forestry Reservation Commission or which shall hereafter be conferred, with full power, by and with the consent of the Governor, to acquire by purchase or by condemnation proceedings any suitable lands in any county of the Commonwealth which, in the judgment of said commission, the State should possess for the purpose of holding, maintaining, and developing as State forests. The commission shall have full power to manage, control, protect, maintain, and develop all lands which may be acquired under the provisions of this act, as well as those which have heretofore been purchased and are now owned and maintained as State forests under existing law. The commission is also empowered to appoint such scientific assistants and other employes as may be necessary and needful for the control, protection, maintenance, and development of the State forests, to fix their compensation, and to establish such rules for the control, management, protection, and development of the State forests, as in their judgment will conserve the interests of the Commonwealth. *The commission shall render reports of its conduct of the department, and from time to time publish the results of forestal investigations or inquiries into other matters relating to trees, forests, and forestry, as in its judgment will be useful and serviceable.*

“Whenever it shall appear that the welfare of the Commonwealth, with reference to reforesting and the betterment of the State forests, with respect to control, management, protection, and development, will be advanced by selling or disposing of any of the timber on the State forests, the commission is hereby empowered to sell such timber on terms most advantageous to the State; and the said commission is hereby empowered to make and execute contracts or leases, in the name of the Commonwealth, for the mining or removal of any valuable minerals that may be found in said State forests, whenever it shall appear to the satisfaction of the commission that it would be for the best interest of the State to make such disposition of said minerals: Provided, The proposed contracts or leases shall have been advertised once a week for three weeks, in at least two newspapers published nearest the locality indicated, in advance of said contract or lease. Said contracts or leases may then be awarded to the highest and best bidder, who shall give bond for the proper performance of the contract as the commission shall designate.”

be, and the same is hereby, amended to read as follows:—

State Forest Commission.

Section 1. (a) Be it enacted, &c., That there be and is hereby established a Department of Forestry, to consist of a Commissioner of Forestry and four other citizens of the Commonwealth, who together shall constitute the State Forest Commission; each of whom shall be appointed and commissioned by the Governor, by and with the advice and consent of the Senate, for terms of four years each; the present Commissioner of Forestry and members of the State Forestry Reservation Commission to serve for the terms for which they have heretofore been appointed and confirmed, and thereafter, as new appointments shall be made, for the full term of four years each.

Members.

Appointment.

Term.

Powers.

(b) The Commissioner of Forestry and the State Forest Commission shall be clothed with all the powers heretofore conferred by law upon the State Forestry Reservation Commission or which shall hereafter be conferred on the Commissioner of Forestry or the State Forest Commission, with full power, by and with the consent of the Governor, to acquire by purchase or by condemnation proceedings any suitable lands in any county of the Commonwealth which, in the judgment of said commission, the State should possess for the purpose of holding, maintaining, and developing as State forests: *Provided, That the amount expended for the acquisition of lands for State forest purposes in any biennial appropriation period shall not exceed the appropriation for that purpose for such period.*

Acquisition of land.

Proviso.

Control, development and utilization of lands.

(c) The commission shall have full power to manage, control, protect, maintain, utilize and develop all lands which may be acquired under the provisions of this act, as well as those which have heretofore been purchased and are now owned and maintained as State forests under existing law; and may, in addition to the Bureau of Forest Protection established in the Department of Forestry by act of June third, one thousand nine hundred fifteen, entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the bureau, their duties, and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act" (Pamphlet Laws, page seven hundred ninety-seven), organize, in the Department of Forestry, the following bureaus and offices: Bureau of Operation, Bureau of Silviculture, Bureau of Lands, Office of Research, Office of Infor-

Bureaus and offices of the Department of Forestry.

mation, Office of Maintenance; and shall assign the powers and duties of the Department of Forestry, as now established by this or any other act, or hereafter established by law, to, and divide such duties and powers among, the above identified bureaus and offices (including the Bureau of Forest Protection), subject, however, always to the complete supervisory control and direction of the State Forest Commission and the Commissioner of Forestry: Providing, however, That the salary of any of the chiefs of bureau and offices shall not exceed the sum of five thousand dollars per annum.

Powers and duties.

Salaries.

(d) The State Forest Commission may divide the State into such convenient forest districts as it deems economical and effective to administer, protect, develop, and utilize the State forest lands and resources, to protect all forest land in the State from forest fires, fungi, insects, and other enemies, to promote and develop forestry and knowledge of forestry throughout the State, to advise and assist landowners in the planting of forest and shade trees, to render reports of its conduct of the Department of Forestry, to obtain and publish information respecting forest lands and forestry in the State, to assist in Arbor Day work, and promote and advance any other activity in local forestry which the Department of Forestry may deem helpful to the public interest, and to execute the rules and regulations of the State Forest Commission for the protection of forests from fire and depredation; and also may assign district foresters to take active charge of such forest districts, and also such foresters, forest rangers, and other help for the administration of such forest districts, as the commission may deem necessary for the accomplishment, throughout the State, of the purposes for which the Department of Forestry is established.

Forest districts.

Assignment of foresters and rangers.

(e) The commission is also empowered to appoint, and assign to selected lines of work, forest officers to act as chiefs of the bureaus (including the Bureau of Forest Protection, and officers, also to act as assistant chiefs of said bureaus and offices, whenever, and to the extent, it may deem such assistant chiefs necessary, and also to act as district foresters, foresters, and forest rangers, which forest officers shall be especially qualified to perform the duties of the bureaus, offices, forest districts, and other divisions of the work of the Department of Forestry to which they shall be assigned; and it shall also employ and assign to duty such surveyors, draftsmen, stenographers, and other assistants, and labor and such scientific assistants and

Assistants and employees.

Section 2. Section four of said act, which, as amended by said act of July seventh, one thousand nine hundred nineteen (Pamphlet Laws, page seven hundred twenty-seven), reads as follows:—

“Section 4. The Commissioner of Forestry shall receive a salary of *five* thousand dollars per annum, and the Deputy Commissioner of Forestry shall receive a salary of *three thousand six hundred* dollars per annum, and in addition thereto shall be reimbursed for all necessary expenses of travel which may be incurred in the discharge of the duties of their offices. The other members of the State Forest Commission shall serve without salary, but shall be reimbursed for all necessary expenses incurred by them in the performance of the duties of their office,” be, and the same is hereby, amended to read as follows:—

Section 4. The Commissioner of Forestry shall receive a salary of *eight* thousand dollars per annum, and the Deputy Commissioner of Forestry shall receive a salary of *six* thousand dollars per annum, and, in addition thereto, shall be reimbursed for all necessary expenses of travel which may be incurred in the discharge of the duties of their offices. The other members of the State Forest Commission shall serve without salary, but shall be reimbursed for all necessary expenses incurred by them in the performance of the duties of their office.

Section 3. Section ten of said act of February twenty-five, one thousand nine hundred and one (Pamphlet Laws, page eleven), which reads as follows:—

“Section 10. That all acts or parts of acts inconsistent *with the provisions of this act be, and the same are hereby, repealed,*” be, and the same is hereby, amended to read as follows:—

Section 10. That *an act, entitled “An act to limit the amount of money expended each year by the State Forestry Reservation Commission in the purchase of lands for the Commonwealth,” approved April fifteen, one thousand nine hundred and three (Pamphlet Laws, page two hundred and one); and also an act, entitled “A supplement to an act, entitled ‘An act 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 forest reserves by the Department of Forestry,’ approved the twenty-fifth day of February, Anno Domini one thousand nine hundred and one (Pamphlet Laws, page eleven); authorizing the Department of Forestry to designate certain of the foresters within its employ to act as district foresters in the performance of general forest work other than*

Section 4, act of February 25, 1901 (P. L. 11), as amended by section 2, act of July 7, 1919 (P. L. 727), cited for amendment.

Salaries.
Commissioner.
Deputy.

State Forest Commission.

Section 10, act of February 25, 1901 (P. L. 11), cited for amendment.

Acts repealed.

Act of April 15, 1903 (P. L. 201).

Act of July 21, 1913 (P. L. 864).

Repeal.

within the State forests," approved July twenty-first, one thousand nine hundred thirteen (Pamphlet Laws, page eight hundred sixty-four), be, and the same are hereby, repealed. All other acts or parts of acts inconsistent herewith or supplied by this act are hereby repealed.

APPROVED—The 17th day of May, A. D. 1921.

WM. C. SPROUL.

No. 299.

AN ACT

To amend an act, approved the third day of June, one thousand nine hundred and fifteen (Pamphlet Laws, page seven hundred and ninety-seven), entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," by providing for a chief of the Bureau of Forest Protection; empowering district foresters to act as district fire-wardens; providing for the compensation of the chief and other fire-wardens and persons assisting in extinguishing forest fires.

Department of Forestry.

Bureau of Forest Protection.

Act of June 3, 1915 (P. L. 797), amended.

Section 1. Be it enacted, &c., That section one hundred and one of an act, entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," approved June three, one thousand nine hundred and fifteen (Pamphlet Laws, page seven hundred and ninety-seven), which reads as follows:—

Section 101, cited for amendment.

"Section 101. Appointment.—Immediately after this act becomes effective, and thereafter whenever a vacancy occurs, the Commissioner of Forestry shall appoint a forester in the employ of the department to be the chief forest fire-warden," be, and the same is hereby, amended to read as follows:—

Chief Forest Fire-warden.

Appointment.

Section 101. Appointment.—Immediately after this act becomes effective, and thereafter whenever a vacancy occurs, the Commissioner of Forestry shall appoint a forester in the employ of the department to be *Chief of the Bureau of Forest Protection, who, by virtue of his appointment, shall immediately become and be chief forest fire-warden.*

Section 2. Section one hundred and three of said act of June three, one thousand nine hundred and fifteen (Pamphlet Laws, page seven hundred and ninety-seven), which reads as follows:—