

several counties, cities, boroughs, towns, and townships may levy taxes, condemn private property, and borrow money for library purposes; and imposing penalties for injuring library property and for violations of library regulations; and repealing existing laws in relation to the above subjects," is hereby amended by adding, after section four thereof, a new section to read as follows:

Section 4.1. Whenever in any city, borough, town or township, there has been or may be established and maintained a separate free, public, nonsectarian library and there is at the time a county library in existence, three per cent of the voters at the last preceding general election in said city, borough, town or township may petition the county commissioners to place on the ballot the question of whether or not such city, borough, town or township shall be a part of the county library district and be subject to levy and payment of any taxes levied for the purpose of maintaining or aiding in the maintaining of any county library. At the next general election, occurring at least sixty days after the filing of the petition, but not oftener than once in five years, such question shall be placed upon the ballots and submitted to the electors of the city, borough, town or township, as provided by the election laws. If a majority of those voting on such question vote in favor of the discontinuance of the county library and tax in said city, borough, town or township, then such city, borough, town or township shall not thereafter be a part of the county library district and shall not be subject to levy and payment of any taxes levied for the purpose of maintaining or aiding in the maintaining of any county library.

Procedure whereby cities, boroughs, towns and townships may withdraw from county library district and payment of county library tax.

Petition to county commissioners.

Question to be submitted to electors at next general election.

Effect where voters elect to withdraw from county library district.

APPROVED—The 24th day of August, A. D. 1951.

JOHN S. FINE

No. 330

AN ACT

Concerning mutual military aid and assistance by and between the Commonwealth of Pennsylvania and other states, in an emergency; and agreeing to, approving, and authorizing and empowering the Governor to enter into a compact with the State of New Jersey and the State of New York and any other state concurring therein or otherwise approving thereof, for such purpose.

Whereas, On the twelfth day of December, one thousand nine hundred and fifty, the Governor of the State of New York, for and on behalf of the State of New York, and the Governor of the State of New Jersey, for and on behalf of the State of New Jersey, agreed to an

Preamble.

interstate compact for mutual military aid and assistance between such respective States in an emergency; and

Whereas, The aforesaid compact was ratified by the 1951 Sessions of the Legislatures of New Jersey and New York; and

Whereas, Article II of said compact provides "This compact shall become effective as to the signatory States when the Legislatures thereof have approved it and when the Congress has given its consent either before or after the date hereof. Any State not a party to this compact at the date hereof may become a party hereto"; and

Whereas, It is the purpose and object of said compact to promote the national security and the security of the States signatory thereto and further protect the public health, safety and welfare; and

Whereas, It is the purpose and object of this act to authorize the Commonwealth of Pennsylvania to enter into and become a party of said interstate compact:

Military aid.

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

Interstate compact for mutual aid in an emergency between States of New Jersey, New York and Pennsylvania.

Section 1. The Commonwealth of Pennsylvania does hereby join, approve and become a party to a solemn compact with the State of New Jersey and the State of New York and any other State concurring therein or otherwise approving thereof, in form and terms as heretofore agreed to by the Governor of the State of New Jersey and the Governor of the State of New York and approved by the respective Legislatures thereof, as follows:

Form of compact.

An Interstate Compact For Mutual Military Aid In An Emergency

Article I.

Purposes of compact.

(1) The purposes of this compact are:

a. to provide for mutual military aid and assistance, in an emergency, by the military forces of a signatory State to the military forces of the other signatory States or of the United States, including, among other, military missions, the protection of interstate bridges, tunnels, ferries, pipe lines, communications, facilities, and other vital installations, plants and facilities, and the military support of civil defense agencies.

b. to provide for the fresh pursuit, in case of an emergency, by the military forces or any part or member thereof of a signatory State into another State, of insurrectionists, saboteurs, enemies or enemy forces, or persons seeking or appearing to seek to overthrow the government of the United States or of a signatory State.

c. to make provision for the powers, duties, rights, privileges and immunities of the members of the military forces of a signatory State while so engaged outside of their own State.

(2) a. "Emergency," as used in this compact, shall mean and include invasion or other hostile action, disaster, insurrection, or imminent danger thereof.

b. "State," as used in this compact, shall include any signatory State.

c. "Military forces," as used in this compact, shall include the organized militia or any force thereof of a signatory State.

Definitions.

Article II.

This compact shall become effective as to the signatory States when the Legislatures thereof have approved it and when the Congress has given its consent either before or after the date hereof. Any State not a party to this compact at the date hereof may become a party hereto.

When compact to become effective.

Article III.

The Governor of each signatory State, or his designated military representative, shall constitute the Committee for Mutual Military Aid for the signatory States. It shall be the duty of the Committee for Mutual Military Aid to make joint plans for the employment of the military forces of the signatory States for mutual military aid and assistance in case of emergency.

Committee for Mutual Military Aid and duties thereof.

Article IV.

(1) It shall be the duty of each signatory State to integrate its plan for the employment of its military forces, in case of emergency, with the joint plans recommended by the Committee for Mutual Military Aid and with the emergency plans of the armed forces of the United States.

Duty of signatory States.

(2) In case of emergency, upon the request of the Governor of a signatory State, the Governor of each signatory State, to the extent consistent with the needs of his own State, shall order its military forces, or such part thereof as he in his discretion may find necessary, to assist the military forces of the requesting State, in order to carry out the purposes set forth in this compact. In such case, it shall be the duty of the Governor of each signatory State receiving such a request to issue the necessary orders for such use of the military forces of his State without the borders of his State, and to direct the commander of such forces to place them under the operational control of the commander of the forces of the requesting State or of the United States which may be engaged in meeting the emergency.

Use of military forces of one State in another State in case of emergency.

Recall of such military forces.

(3) The Governor of any signatory State, in his discretion, may recall the military forces of his State serving without its borders or any part or any member of such forces.

Article V.

Going beyond borders of State in fresh pursuit of insurrectionists, saboteurs, enemies, etc.

In case of an emergency, any unit or member of the military forces of a signatory State which has been ordered into active service by the Governor may, upon order of the officer in immediate command thereof, continue beyond the borders of his own State into another signatory State in fresh pursuit of insurrectionists, saboteurs, enemies or enemy forces, or persons seeking or appearing to seek to overthrow the government of the United States or of any one of the signatory States, until they are apprehended by such unit or member. Any such person who shall be apprehended or captured in a signatory State by a unit or member of the military forces of another signatory State shall, without unnecessary delay, be surrendered to the military or police forces of the State in which he is taken or to the forces of the United States. Such surrender shall not constitute a waiver by the State of the military forces making the capture of its right to extradite or prosecute such persons for any crime committed in that State.

Article VI.

Military forces outside their own State not to be liable civilly or criminally for acts done in performance of their duty.

(1) Whenever the military forces or any part thereof of any signatory State are engaged outside of their own State in carrying out the purposes of this compact, the individual members of such military forces so engaged shall not be liable civilly or criminally for any act or acts done by them in the performance of their duty.

Powers, duties, rights, privileges and immunities of individual members of such forces.

(2) The individual members of such forces shall have the same powers, duties, rights, privileges and immunities as the members of the military forces of the State in which they are engaged, but in any event,

Each State to save harmless members of such military forces for acts done in performance of duty.

(3) Each signatory State shall save harmless any member of its military forces wherever serving, and any member of the military forces of any other signatory State serving within its borders, for any act or acts done by them in the performance of their duty while engaged in carrying out the purposes of this compact.

Article VII.

Pay and allowances, medical and hospital expenses, disability and death benefits, pensions and funeral expenses.

(1) Each signatory State shall provide, in the same amounts and manner as if they were on duty within their own State, for the pay and allowances of the personnel of its military forces, and for the medical and hospital expenses, disability and death benefits, pensions and funeral expenses, of wounded, injured or sick personnel, and of dependents or representatives of deceased personnel of its military forces, in case such personnel

shall suffer wounds, injuries, disease, disability or death while engaged without the State pursuant to this compact and while going to and returning from such other signatory State. Each signatory State shall provide, in the same amounts and manner as if they were on duty within their own State, for the logistical support and for other costs and expenses of its military forces while engaged without the State pursuant to this compact and while going to and returning from such other signatory State.

Logistical support, and other costs and expenses.

(2) Any signatory State rendering outside aid in case of insurrection or disaster not the result of invasion or hostile action shall, if it so elects, be reimbursed by the signatory State receiving such aid for the pay and allowances of its personnel, logistical support, and all other costs and expenses referred to in section one of this article and incurred in connection with the request for aid. Such election shall be exercised by the Governor of the aiding State presenting a statement and request for reimbursement of such costs and expenses to the Governor of the requesting State.

Rendering outside aid in case of insurrection or disaster.

Article VIII.

Nothing in this compact shall be construed to limit or restrict the power of any signatory State, in case of an emergency affecting that State only, to provide for the internal defense of any part of the territory of said State, or for the protection and control of any bridge, tunnel, ferry, installation, plant or facility, or any part thereof, within the borders of such State, or to prohibit the enforcement of any laws, rules and regulations, or the execution of any plan with regard thereto.

Internal defense, and protection and control of any bridge, tunnel, ferry, installation, plant or facility, etc.

Article IX.

This compact shall continue in force and remain binding on each signatory State until the Legislature or the Governor of such State gives notice of withdrawal therefrom. Such notice of withdrawal shall not be effective until six months after said notice has been given to the Governor of each of the other signatory States.

Duration of compact.

Section 2. The Governor is hereby authorized and empowered to enter into and sign said solemn compact on behalf of the Commonwealth of Pennsylvania; and thereafter, duly authenticated copies of this act shall be transmitted to the Governor of the State of New Jersey, to the Governor of the State of New York, to the President of the Senate of the United States, and to the Speaker of the United States House of Representatives.

Withdrawal from compact.

Governor authorized and empowered to enter into compact.

Section 3. This act shall become effective immediately upon final enactment.

Authenticated copies of act to be transmitted to certain designated officials.

Act effective immediately.

APPROVED—The 24th day of August, A. D. 1951.

JOHN S. FINE