

All other acts and parts of acts are repealed in so far as they are inconsistent herewith.

Section 33. Effective Date.—This act shall take effect immediately.

APPROVED—The 20th day of September, A. D. 1961.

DAVID L. LAWRENCE

No. 659

AN ACT

Creating and establishing a continuing career system for professional personnel in or assigned to the Department of Highways; establishing and vesting certain powers in the *Highway Professional Personnel Board, and making an appropriation.

Highway Professional Personnel Board.

Department of Highways' Career System Act.

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

Section 1. Short Title.—This act shall be known and cited as the “Department of Highways’ Career System Act.”

Section 2. Legislative Intent.—Greater efficiency and economy in the administration of the Department of Highways is the primary purpose of this act. The establishment of a continuing career system for professional personnel in, or assigned to, the Department of Highways, which will attract and retain qualified persons of character and ability, and their appointment and promotion on the basis of qualifications, merit and fitness are means to this end.

Section 3. Definitions.—In this act, unless the context otherwise clearly requires:

(1) “Board” means the Highway Professional Personnel Board.

(2) “Professional Personnel” means all persons holding positions now existing and hereafter established in the Department of Highways, which require specialized knowledge based on formalized training or equivalent experience conforming to recognized standards. “Professional Personnel” shall include only persons who have obtained a degree from an accredited college or university, or who have had experience equivalent thereto, who now or hereafter hold the following positions:

- (i) engineers,
- (ii) geologists,
- (iii) chemists,

* “Highday” in original.

- (iv) planning specialists,
 - (v) statisticians,
 - (vi) economists,
 - (vii) geodesists,
 - (viii) photogrammetrists,
 - (ix) architects,
 - (x) landscape architects,
 - (xi) cartographers,
 - (xii) draftsmen,
 - (xiii) surveyors.
- (3) "Secretary" means the Secretary of Highways.

Section 4. Highway Professional Personnel Board.—The Highway Professional Personnel Board is hereby created, and it shall have the power and its duty shall be:

(1) To establish, organize and maintain a continuing career system for all professional positions in the Department of Highways.

(2) To adopt rules, resolutions and regulations for professional personnel appointed, employed by, or assigned to the Department of Highways. Such rules, resolutions and regulations shall be based upon merit and fitness and include standards of recruitment, qualifications, selection, tenure, demotion, promotion, removal and appeal.

(3) To prescribe qualifications for professional personnel appointed, employed by, or assigned to the Department of Highways. For the purpose of this act county maintenance employes may not qualify as professional personnel. No restriction may be imposed relating to race, age, religion or political affiliation.

(4) To determine what positions in the Department of Highways shall be considered as professional.

Section 5. Prohibition of Political Activity.—No person holding a position which has been classified as professional shall be a member of, or delegate or alternate to any political convention, nor shall he participate at any such convention, except in the performance of his official duty or as a visitor, nor shall he serve as a member of any committee of any political party or take an active part in political management or in political campaigns or use his office or position to influence political movements or to influence the political action of any officer or employe in the service of the Commonwealth, nor shall he circulate or seek signatures to any nominations or other petition required by any primary or election law, nor shall he seek or accept election, nomination or appointment as an officer of a political club or *organization or serve as a member of a committee of any such club or organization or otherwise

* "organizataion" in original.

engage in political activity: Provided, however, That the rights of any individual as a citizen are not impaired hereby and the prerogative to attend meetings to hear or see any candidate or nominee or to express one's individual opinion shall remain inviolate. Any person who, after hearing, is found to have violated the provisions of this section shall be immediately dismissed from his position.

Section 6. Composition of the Board.—The Board shall be composed of the Secretary, or his designated representative, and four members appointed by the Governor. Of the four members appointed by the Governor, two members shall be Civil Engineers, registered by the State Registration Board for Professional Engineers, who through experience have acquired a reputation as being knowledgeable in the principles and practices of highway engineering, and one member shall be a faculty member of a Pennsylvania School of Engineering accredited by the State Registration Board of Professional Engineers. The fourth such member shall, by experience, have acquired a reputation as knowledgeable in the principles and practices of public administration.

Section 7. Term of Office.—The term of office of each appointed member of the Board shall be four years from the third Tuesday of January of the year in which he takes office, or until his successor has been appointed and has qualified, except that in the initial appointment of the members of the Board, one member shall be appointed for a term of one year, one member for a term of two years, one member for a term of three years and one member for a term of four years.

Section 8. Quorum.—Three members of the Board shall constitute a quorum.

Section 9. Compensation.—Board members shall be paid at the rate of thirty dollars for each day of work, and shall receive actual traveling and related expenses.

Section 10. Appropriation.—As much money as necessary is hereby appropriated from the Motor License Fund to compensate board members and for their actual traveling and related expenses, together with administrative expenses of the Board.

Section 11. Chairman of the Board.—The Secretary of Highways, or his designated representative, shall be the Chairman of the Board, and shall enforce such rules, regulations and resolutions as are adopted by the Board.

Section 12. This act shall take effect immediately.

Act effective
immediately.

APPROVED—The 20th day of September, A. D. 1961.

DAVID L. LAWRENCE

No. 660

AN ACT

Amending the act of June 15, 1961 (P. L. 373), entitled "An act providing for the imposition of certain taxes upon the transfer of property passing from a decedent who was a resident of the Commonwealth at the time of his death or presumed death and of property having its situs in the Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death or presumed death; imposing additional taxes to equal Federal Estate Tax Credits; defining and taxing certain transfers made in contemplation of death, or to take effect in possession or enjoyment at or after death; defining as a transfer and taxing the right of survivorship in certain property as to which such right exists; defining and exempting from tax, transfers to certain persons or for certain purposes or of certain property; providing for the valuation of property and interests in property, the transfer of which is subject to tax; defining and allowing deductions from the value of property, the transfer of which is subject to tax; providing for the persons ultimately liable for taxes in the absence of a direction by the decedent to the contrary; providing for the reporting of transfers and collection of taxes; imposing penalties upon banks or other financial institutions for failure to give notice to the Department of Revenue of the death of a party to a joint or trust deposit therein and upon persons who fail to file tax returns and documents; providing for the compromise of taxes in the case of alleged nonresidents of the Commonwealth; making it unlawful for any person to make a false return or report; providing for liens upon real property, the transfer of which is subject to tax, and release thereof; authorizing the Secretary of Revenue to bring suits in other jurisdictions for the collection of taxes, and authorizing officials of other jurisdictions to bring suits in the Commonwealth for the collection of death taxes imposed by their jurisdictions; providing for the refund of taxes to which the Commonwealth is not rightfully or equitably entitled; providing for appeals and protests from the imposition of taxes; regulating the entry into safe deposit boxes of a decedent by certain persons, and providing penalties; dealing with the jurisdiction, powers and procedure of the orphans' court, Secretary of Revenue, Department of Revenue, Attorney General, and register of wills in matters relating to taxes; and citing certain acts for repeal," making a continuing appropriation for the payment of refunds of taxes to which the Commonwealth is not rightfully or equitably entitled.

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

Inheritance and
Estate Tax Act
of 1961.

Section 1. The act of June 15, 1961 (P. L. 373), known as the "Inheritance and Estate Tax Act of 1961," is amended by adding, after section 906, a new section to read:

Act of June 15,
1961, P. L. 373,
amended by add-
ing a new section
907.