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No. 53.

## SENATE

WEDNESDAY, April 27, 1949.

The Senate met at 10:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

### PRAYER

The Chaplain, Rev. WILLIAM D. McLEAN offered the following prayer:

Almighty God, who pourest out on all who desire it the spirit of grace and of supplication, we ask Thee to be present with this Senate of the Commonwealth of Pennsylvania as they convene for their duties this day.

We praise Thee for Thy many past blessings to us, for Thy preservation of us from the beginning of our lives to this day. We are thankful for whatsoever Thou hast given us richly to enjoy, for health and vigor, for joys of friendship, for every good gift of happiness and strength, and for all Thy servants who by their example and encouragement have helped us on our way.

Now, we pray Thee, that these gentlemen now present may by wise legislation and faithful administration, protect the rights of all people so that this Commonwealth may be enabled to fulfill Thy purposes. Grant to them clean hands, pure hearts and unflinching devotion to the cause of righteousness, so that Thy work in our midst may be promoted for Thy glory and the establishment of good government. Give them patience, justice and uprightness in all their dealings; quiet, peace and compassion, a readiness to do good to all men according to their ability and opportunities.

These things, and whatever else Thou shalt see to be necessary and convenient for them and the people, we humbly ask in the name of Jesus Christ, our Lord. Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. TALLMAN, further reading was dispensed with, and the Journal was approved.

### HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL NO. 375

The Clerk of the House of Representatives being in-

roduced, returned to the Senate, Senate Bill No. 375, entitled:

An Act to further amend paragraph four of subsection A of section one thousand one of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further regulating the making of installment loans

with the information that the House has passed the same without amendments.

### HOUSE CONCURS IN AMENDMENTS TO SENATE BILL NO. 603 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 603, entitled:

An Act providing for the payment of salaries to the president and members of the town council of incorporated towns at the discretion of the town council.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

### SENATE CONCURRENT RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE FINANCIAL NEEDS OF THE SCHOOL DISTRICT OF THE FIRST CLASS

Mr. LORD, JR. offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 27, 1949.

Whereas, For the past several years the matter of

raising funds by taxation for the support of the school district of the first class coterminous with the city of Philadelphia has been a paramount question before each session of the General Assembly of this Commonwealth and

Whereas, With each year this problem has become more difficult to solve since the cost of maintaining adequate school facilities and the salaries of teachers have risen and because the general tax burden has become heavier; and

Whereas, The school district coterminous with Philadelphia has been existing from hand-to-mouth so to speak, from biennium to biennium on temporary taxes prescribed by the General Assembly; and

Whereas, It is necessary that a fixed adequate solution be found to the financial problems of the school district of the first class coterminous with the city of Philadelphia in order that the schools there can be maintained on a level with schools in this State and in cities outside this Commonwealth of comparable size, in order that the tax burden of supporting such schools may be reasonably placed with certainty, and in order that the General Assembly need not concern itself biennium after biennium with such an involved problem over such a local matter; now therefore be it

Resolved (if the House of Representatives concur), That the Joint State Government Commission is hereby directed to investigate, study and determine the present and future financial needs of the school district of the first class coterminous with the city of Philadelphia with particular emphasis on a comparison of Philadelphia's problems as compared with those of other large cities and considering all factors including trends in school population pupil-teacher ratio, and school building construction; and be it further

Resolved, That the commission shall attempt to formulate a basis for permanent forms of taxation to meet the financial requirements of such school district; and be it further

Resolved, That the commission shall report its findings and recommendations to the next session of the General Assembly and shall propose legislation embodying the results thereof

Ordered, That the Clerk present same to the House of Representatives for concurrence.

### HOUSE MESSAGE

#### SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives, which was twice read, considered and agreed to:

#### JOINT STATE GOVERNMENT COMMISSION TO STUDY AND REVISE CERTAIN LAWS AND TO STUDY AND INVESTIGATE CERTAIN CONDITIONS

In the House of Representatives, April 26, 1949.

Whereas, The General Assembly requires for its use comprehensive, factual information concerning the numerous problems before it;

Resolved (if the Senate concurs), That the Joint State Government Commission is hereby directed to:

##### 1. Study and revise

- (a) The Administrative Code of 1929 and related statutes
- (b) Laws relating to mental health
- (c) Laws relating to landlord and tenant, eviction proceedings, rent control, and kindred statutes
- (d) Orphans' Court Act, Orphans' Court Partition Act, Register of Wills Act, Revised Price Act, with their supplements and related statutes

##### (e) Laws relating to insurance

##### 2. Study and investigate

- (a) Cost of construction and maintenance of public highways as related to vehicles used thereon
- (b) Space requirements for State government outside of the city of Harrisburg, rental costs and convenience involved, and the cost and convenience of alternative arrangements
- (c) The accounting systems used by the several departments, agencies and commissions of the Commonwealth with a view of developing adequate and uniform accounting systems and complete analyses of the Commonwealth's fiscal condition, including a statement and analysis of assets, exclusive of physical assets, and liabilities of the Commonwealth
- (d) Administration and financing of public assistance in the Commonwealth
- (e) Taxation and exemption of liquid fuels utilized for nonhighway purposes, methods of exempting, taxing, and rebating and distributing any such taxes
- (f) Criminal jurisdiction of the Allegheny County Court
- (g) Commonwealth-owned forests and reforestation
- (h) Fishways and similar devices which may be used in the waters of the Commonwealth and the fish population in such waters
- (i) Efficient public school attendance areas within the Commonwealth
- (j) Occupational hazards to State employees in the performance of their official duties
- (k) Cost of retirement systems to the Commonwealth and its political subdivisions
- (l) Child placement and adoption in the Commonwealth; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations, with such drafts of legislation necessary to carry the recommendations into effect.

Ordered, That the Clerk inform the House of Representatives accordingly.

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until one o'clock p. m., Eastern Standard Time.

Mr. KEPHART. Mr. President, I second the motion. The motion was agreed to.

### AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

#### HIGH SCHOOL STUDENTS OF LANCASTER CITY AND COUNTY PRESENTED TO SENATE

The PRESIDENT. At this time the Chair would like very much to introduce to the Senate a group of students from the various high schools of Lancaster City and County, who are here under the direction of Miss Sara Ann Stauffer.

They are interested in the problems of government, and we are very glad to have them with us.

### CALENDAR

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 389, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by regulating the authority of school districts to purchase supplies and to perform and contract for construction reconstruction repairs and work of any nature

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

Section 1 Sections seven hundred fifty-one eight hundred five eight hundred six and eight hundred seven of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 751 Work to be done under contract let on bids exception (a) all construction reconstruction repairs or work of any nature including the introduction of heating ventilating or lighting systems upon any school building or upon any school property made by any school district where the entire cost value or amount of such construction reconstruction repairs or work including labor and material shall exceed three hundred dollars (\$300) in school districts [other than school district of the first class and in school districts of the first class where such entire cost value shall exceed six hundred dollars] of the third or fourth class or five hundred (\$500) in school districts of the second class or one thousand dollars (\$1000) in school districts of the first class shall be done under contract or contracts to be entered into by such school district with the lowest responsible bidder upon proper terms after due public notice has been given asking for competitive bids provided that if due to an emergency a school plant or any part thereof becomes unusable during the school term competitive bids for repairs or replacement may be solicited from at least three responsible bidders and upon the approval of any of these bids by the State Superintendent of Public Instruction the Board of School Directors may proceed at once to make the necessary repairs or replacements in accordance with the terms of said approved bid or bids

(B) The board of school directors in any school district of the first or second classes either may perform any construction reconstruction repairs or work of any nature where the entire cost or value including labor and material is less than one thousand dollars (\$1000) by its own maintenance personnel or may have any such construction reconstruction repairs or work performed by contract after soliciting bids from at least three responsible bidders Provided That the board of school directors in any school district of the first and second classes may authorize the secretary of the board or other executive to award contracts for construction reconstruction repairs or work of any nature where the entire cost or value including labor and material is three hundred dollars (\$300) or less without soliciting competitive bids

Section 805 Classes of School Supplies Purchasing Agent School supplies shall be divided into two classes the first class shall include school desks chairs typewriters and school apparatus The second class shall include maps globes and all other supplies except textbooks necessary for school use not included in the first class The Board of School Directors in any district may authorize or appoint the secretary of the Board or other executive [or] as purchasing agent for the district with authority to purchase supplies of either class costing less than three hundred dollars (\$300) in districts of the first or second class and less than one hundred dollars (\$100) in districts of the third or fourth class without soliciting bids and without public notice

Section 806 Purchase of Supplies of the First Class [costing \$100 or more] When it is deemed necessary to purchase desks or other supplies of the first class costing

three hundred dollars (\$300) or more in districts of the first or second class or one hundred dollars (\$100) or more in districts of the third or fourth class the Board of School Directors shall solicit sealed quotations from two or more firms manufacturers or dealers in such supplies such quotations shall be opened at a regular or special meeting of the Board of School Directors the boards shall accept the bid of the lowest responsible bidder when the kinds and quality of supplies and equipment offered are the same or are equal but they shall have the right to reject any and all bids or select a single item from any bid Any school district may purchase school furniture and other equipment from another school district without asking for competitive bids

Section 807 Purchases of Supplies of the Second Class [costing \$300 or more] (a) all supplies of the second class costing one thousand dollars (\$1000) or more in school districts of the first class or five hundred dollars (\$500) or more in school districts of the second class or three hundred dollars (\$300) or more in school districts of the third or fourth class shall be purchased and contracts therefor awarded only after public notice has been given by advertisement published once each week for three weeks in not less than two newspapers of general circulation in any district where no newspaper is published said notice may in lieu of such publication be posted in at least five public places such advertisement or notice shall give all necessary information or give notice of convenient access thereto in such manner that bidders can intelligently make bids for such contracts

The Board of School Directors shall accept the lowest bid or bids kind quality and material being equal but shall have the right to reject any and all bids or select a single item from any bid

(b) The Board of School Directors may purchase supplies costing less than one thousand dollars (\$1000) in school districts of the first class less than five hundred dollars (\$500) in school districts of the second class and less than three hundred dollars (\$300) in school districts of the third and fourth classes from the lowest responsible bidder after soliciting sealed quotations from two or more firms manufacturers or dealers in such supplies

Section 2 The Act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1077) entitled "An act providing for and regulating the authority of school districts to purchase supplies and to perform or contract for construction reconstruction repairs and work of any nature" is hereby repealed

Section 3 The provisions of this act as well as the provisions of the sections amended thereby shall become effective on the first day of July one thousand nine hundred forty-nine

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 389

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 389.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,  
Barrett,

Geltz,  
Haluska,

Meade,  
Neff,

Tarr,  
Taylor,

Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 399, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" prohibiting the use of certain additional words in the corporate name changing the contents of articles of Young Men's Christian Associations authorizing the passage of by-laws superseding the charter on purely administrative matters permitting notice of meetings to be given by advertisement changing certain provisions relating to mergers consolidations and foreign corporations and repealing an act

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

Section 1 Subsection A of section two hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as last amended by the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 957) is hereby further amended to read as follows

Section 202 The Corporate Name A The corporate name may be in any language but must be expressed in English letters or characters The corporate name shall not imply that the corporation is a governmental agency of the Commonwealth or of the United States or is subject to the supervision of the Department of Banking the Public Utility Commission or of the Insurance Department and shall not contain the word "bank" "banking" "banker" "savings" "trust" "deposit" "insurance" "mutual" "assurance" "indemnity" "casualty" "fiduciary" "benefit" "beneficial" "public service" "public utility" "building and loan" "surety" "security" "guaranty" "guarantee" "cooperative" "State" "Commonwealth" "United States" or "Federal" nor shall the corporate name contain the word "college" or "university" when used in such a way as to give the impression that it is an educational institution conforming to the standards and qualifications prescribed by the State Council of Education unless there be submitted a certificate from the State Council of Education certifying that the corporation or proposed corporation is entitled to use such designation Provided however That the word "State" "Commonwealth" "United States" or "Federal" may be used if such use does not imply that the corporation is a governmental agency of the Commonwealth or of the United States

Section 2 Clause (2) of section two hundred fifteen and section four hundred three of said act are hereby amended to read as follows

Section 215 Young Men's Christian Associations In the case of the incorporation of a Young Men's Christian Association the articles of incorporation shall in addition to the information heretofore required by this article set forth

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(2) A statement that the proposed corporation is for the improvement of the spiritual mental social and physical condition of young [men] people by the support and maintenance of lecture rooms libraries reading rooms religious and social meetings gymnasiums and such other means and services as may conduce to the accomplishment of that object according to the general rules and regulations of the State Young Men's Christian Association of Pennsylvania

Section 403 Contents of By-laws Subject to the provisions of this act the by-laws may contain any provisions for the regulation and management of the affairs of the corporation and may provide penalties for the breach thereof not exceeding twenty dollars (\$20.00) and may change alter or amend such provisions of the corporate charter as are purely administrative in their nature any limitation contained in any such charter to the contrary notwithstanding

Section 3 Section six hundred four of said act as amended by the act approved the twelfth day of June one thousand nine hundred forty-seven (P. L. 590) is hereby further amended to read as follows

Section 604 Notice of Meetings of Members Written notice of every meeting of the members shall be given by or at the direction of the person authorized to call the meeting to each member of record entitled to vote at the meeting at least five days prior to the day named for the meeting unless a greater period of notice is required elsewhere in this act in a particular case Provided That [cemetery companies] such corporations may provide in their by-laws that in lieu of written notice they shall give at least five (5) days' notice of such meeting by advertising once in one newspaper of general circulation within the city borough or township where the [cemetery] corporation is located and once in the legal journal published in the county if any [and by posting a copy of the notice at least five (5) days prior to the day named for such meeting on the cemetery gates] In all such cases where [cemetery companies] such corporations provide for notice by publication [and posting] it shall be unnecessary to give written notice of meetings to members of record entitled to vote at meetings and such notice by advertising [and posting] shall be effective as actual and not merely constructive notice of meetings

When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting other than by announcement at the meeting at which such adjournment is taken unless otherwise provided in the by-laws

Section 4 Section eight hundred one of said act as amended by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1294) is hereby further amended to read as follows

Section 801 Merger or Consolidation Authorized A Any two or more domestic nonprofit corporations formed for kindred purposes or any one or more domestic nonprofit corporations and any one or more foreign nonprofit corporations may in the manner hereinafter provided in this article either be merged into one of such [domestic] nonprofit corporations either domestic or foreign hereinafter designated as the surviving corporation or be consolidated into a new domestic or foreign nonprofit corporation provided such foreign nonprofit corporations are authorized by the law or laws of the jurisdiction under which they were formed to effect such merger or consolidation [Such application shall be made to the court of common pleas of the county in which the registered office of the surviving or new corporation is to be located] if a proposed merger or consolidation will result in a surviving domestic corporation or a new domestic corporation such application shall be made to the court of common pleas in the county in which the registered office of such surviving corporation is located or the registered office of such new corporation is to be located if any proposed merger or consolidation will result in a surviving foreign corporation or a new foreign corporation such application shall be made to the court of common pleas of the county in which the registered office of the constituent domestic corporation is located unless there are two or more constituent domestic corporations to such merger or consolidation in which case such application shall be made to the court of common pleas of the county in which the registered office of any one of such constituent domestic corporations is located the merger or consolidation of one or more domestic corporations into a foreign corporation shall be effective according to the provisions of law of the jurisdiction in which such foreign corporation was formed but not until articles of merger or articles of consolidation have been adopted and filed as provided in this act

Section 5 Sections eight hundred two and eight hundred three of said act are hereby amended to read as follows

Section 802 Approval of Joint Plan of Merger or Consolidation Before the Application is Made to the Court A joint plan of merger or consolidation as the case may be setting forth the terms and conditions of the merger or consolidation and such other details and provisions as are deemed necessary shall be approved by the affirmative vote of at least a majority of the members of each of the merging or consolidating domestic corporations entitled to vote thereon at a regular or special meeting of each domestic corporation convened after at least ten days' written notice to all the members of this purpose if the proposed plan of merger or consolidation would make any change in the rights of the members of any class of a domestic corporation then the members of such class shall be entitled to vote as a class upon such plan whether by the terms of the articles of the corporation Such class is or is not entitled to vote and in addition to the vote herein required the affirmative vote of at least a majority of the members of each class so affected by the plan shall be necessary for the adoption thereof If any foreign corporation is a party to the merger or consolidation the plan of merger or consolidation shall be authorized adopted or approved by such foreign corporation in accordance with the laws of the jurisdiction in which it was formed The fact of such approval shall be certified on the joint plan by the secretary of each corporation and the plan so adopted and certified shall be

signed and acknowledged by two duly authorized officers of each corporation

Section 803 Articles of Merger or Consolidation Upon the approval of the plan of merger or the plan of consolidation by the [members of the] corporations desiring to merge or consolidate as provided in the preceding section Articles of merger or articles of consolidation as the case may be shall be executed under the seal of each corporation shall be signed and verified by at least two duly authorized officers of each corporation and shall among other things set forth

(1) The name and location of the registered office of the domestic surviving or new corporation or in the case of a foreign surviving or new corporation The name of such corporation and its domiciliary state together with the location of its office registered with such state

(2) The time and place of the meeting of the members of each domestic corporation at which the joint plan was adopted the kind and period of notice given to the members and the total vote by which the joint plan was adopted

(2.1) If any foreign corporation is a party to the merger or consolidation the fact that the joint plan was authorized adopted or approved as the case may be by such corporation in accordance with the laws of the jurisdiction in which it was formed

(3) Any changes desired to be made in the articles of the surviving corporation in the case of a merger or in the case of a consolidation If the new corporation be a domestic corporation all of the statements required by this act to be set forth in articles of incorporation in the case of formation of a corporation

(4) The names and addresses of the persons to be directors of the surviving or new corporation until the first regular meeting of its members

(5) The plan of the merger or consolidation

(6) If the surviving or new corporation is to be a foreign corporation A designation of the Secretary of the Commonwealth and his successor in office as the true and lawful attorney of such corporation upon whom may be served all lawful process in any action or proceeding against it for enforcement against it of any obligation of any constituent domestic corporation or any obligation arising from the merger or consolidation proceedings or any action or proceeding to determine and enforce the rights of any member and an agreement that the service of process upon the Secretary of the Commonwealth shall be of the same legal force and validity as if served on such corporation and that the authority for such service of process shall continue in force as long as any of the aforesaid obligations and rights remain outstanding in this Commonwealth

Section 6 Section eight hundred four of said act as amended by the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 957) is hereby further amended to read as follows

Section 804 Registration of Corporate Name If the name of the domestic surviving corporation in the case of a merger or of the domestic new corporation in the case of a consolidation is to be different from the name of either of the constituent corporations The constituent corporation shall make a joint application to the department of State for the registration of the proposed name The application shall set forth the names and addresses including streets and number If any of the registered offices of the constituent corporations the date of incorporation and the act under which each was incorporated and the name which the surviving or new corporation desires to use and the address including street and number if any of the registered office of the surviving or new corporation If the Department of State finds that the proposed name is available for corporate use the department shall register the name and shall issue to the corporations or their representatives a certificate that the proposed name has been duly registered If the proposed name is not available for corporate use the department shall refuse to register such name and

shall forthwith notify the corporations or their representative of this fact upon application of any party interested either for or against the proposed merger or consolidation. The department shall include in any certificate issued by it under this section any information desired as to the names registered with the department.

Section 7 Sections eight hundred five eight hundred six eight hundred seven eight hundred eight and eight hundred nine of said act are hereby amended to read as follows:

Section 805 Articles of Merger or Consolidation to Be Filed with the Prothonotary. A copy of the articles of merger or articles of consolidation as the case may be and in the case of a proposed change of the corporate name the certificate from the Department of State relating to the registration of the proposed corporate name shall be filed jointly by the constituent corporations in the office of the prothonotary of the Court of Common Pleas of the county [wherein the registered office of the surviving or new corporation is to be located] to which the application for merger or consolidation is required. By this act to be made the articles and the certificate if any shall remain on file in the office of the prothonotary at least three days prior to the day the application for merger or consolidation will be made to the court as hereinafter provided and shall be open to the inspection of the public during the business hours of such office.

Section 806 Advertisement. The Constituent Domestic Corporations shall jointly advertise their intention to apply to the court for permission to merge or consolidate in newspapers published in the county or counties in which the registered offices of the corporation are located in a manner similar to that heretofore prescribed in this act in the case of the formation of a nonprofit corporation. Advertisements shall appear at least three days prior to the day fixed for the presentation of the application to the court and shall set forth briefly:

(1) The names and location of the registered offices of the constituent corporations.

(2) The name and location of the proposed registered office of the domestic surviving or new corporation or in the case of a foreign surviving or new corporation the name of such corporation and its domiciliary state together with the location of its office registered with such state.

(3) A statement that the merger or consolidation is to be effected under the provisions of this act.

(4) A brief summary of the plan or merger or consolidation.

(5) A statement that the articles of merger or articles of consolidation as the case may be have been filed in the office of the prothonotary and the time when the application will be made to the court.

Section 807 Court to approve or refuse merger or consolidation on the day specified in the advertisement or as soon thereafter as the matter may be heard. The constituent corporations or their representative shall present an application for the merger or consolidation of such corporations to the court and shall present to the court the articles of merger or articles of consolidation as the case may be a certified copy of the joint plan of merger or consolidation proof of the advertisement required by the preceding section and in the case of a proposed change of the corporate name a certificate of registration from the Department of State. The court shall consider the application it may hear evidence on behalf of the applicants and against the application if any there be or it may refer the application to a master to make report as to the propriety of granting the application in such case upon the filing of the master's report the court shall grant the applicants and protestants a hearing if exceptions are filed by either of them if the court shall be of the opinion that the proposed merger or consolidation is lawful will be beneficial and not injurious to the community and does not conflict with the requirements of this act the court shall so certify on the articles and shall order and decree thereon that the articles are approved and that upon the

recording of the articles and the order the merger or consolidation shall take effect as hereinafter provided in this act. However the court shall not approve articles of merger or articles of consolidation presented by or on behalf of an educational or nonsectarian charitable corporation unless and until the court shall receive the approval or recommendation of the state council of education or the Department of Welfare as the case may be in a manner similar to that prescribed by this act in the case of the formation of such corporations.

Section 808 Recording of articles of merger or consolidation after the court shall have approved the articles of merger or articles of consolidation as required by the preceding section the prothonotary shall transmit the articles approved by the court to the office of the recorder of deeds of the county where they shall be recorded. The laws of the jurisdiction of the surviving corporation shall also be compiled with if the surviving corporation is a foreign nonprofit corporation. Upon the recording of the articles the merger or consolidation shall become effective. In case the surviving or new corporation is a domestic corporation the merger or consolidation of one or more domestic corporations into a foreign corporation shall be effective according to the provisions of law of the jurisdiction in which such foreign corporation was formed but not until articles of merger or articles of consolidation have been approved by the court and recorded as provided in this act. The articles upon being recorded shall be returned to the prothonotary who shall retain and file them as part of the records of the court and who shall issue a certified copy thereof to the surviving or new corporation as the case may be or its representative. Certified copies of articles so recorded shall be competent evidence for all purposes in the courts of this Commonwealth. In event any constituent domestic corporation to the merger or consolidation was incorporated in another county the aforesaid prothonotary shall certify in writing to the recorder of deeds of such other county the fact of such merger or consolidation and the recorder of deeds of such other county shall record such certificate.

Section 809 Effect of merger or consolidation upon the merger or consolidation becoming the plan of merger or consolidation shall be. A effective the several corporations parties to single corporation which in the case of a merger shall be that corporation designated in the plan of merger as the surviving corporation and in the case of a consolidation shall be the new corporation provided for in the plan of consolidation the separate existence of the corporation parties to the plan of merger or consolidation shall cease except that of the surviving corporation in the case of a merger the surviving or new corporation as the case may be if it be a domestic corporation shall not thereby acquire authority to engage in any business or exercise any right which a corporation may not be formed under this act to engage in or exercise all the property real personal and mixed of each of the corporations parties to the plan of merger or consolidation and all debts due on whatever account to any of them including subscriptions for membership and other choses in action belonging to any of them shall be transferred to and vested in such surviving or new corporation as the case may be without further act or deed the surviving or new corporation shall be responsible for all the liabilities and obligations of each of the corporations merged or consolidated but the liabilities of the merging or consolidating corporations or of their members directors or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such corporations or any liens upon the property of such corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or against any of such corporations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new corporation may be proceeded against or substituted in its place. If in the case of a merger the articles of [incorporation] merger shall set forth any matters with respect to which the articles

of incorporation of [the] a surviving domestic corporation are to be amended The articles of incorporation of such corporation shall be deemed to be amended accordingly upon the recording of the articles of merger and the order of the court in the case of a consolidation resulting in a new domestic corporation the articles of consolidation shall be deemed to be the articles of incorporation of [the] such new corporation Any devise bequest gift or grant contained in any will or other instrument in trust or otherwise made before or after such merger or consolidation to or for any of the constituent corporations shall inure to the surviving or new consolidated corporation as the case may be

Section 8 Clause (6) of section nine hundred four of said act is hereby amended to read as follows

Section 904 Application for a Certificate of Authority The foreign nonprofit corporation or its representative shall deliver to the Department of State a copy of its articles and all amendments thereto duly certified by the proper public officer of the state or country of its incorporation or if the corporation is created by a special law and has no articles a duly certified copy of such law a certified translation of any part of such articles amendments or law which is in a foreign language proof of the advertisement heretofore required by this article and an application for a certificate of authority executed under the seal of the corporation and signed and certified by at least two duly authorized officers thereof which shall set forth

\* \* \* \* \*

(6) [The character and nature] A brief statement of the business it proposes to do within this Commonwealth

Section 9 The act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1045) entitled "An act empowering all corporations incorporated under the laws of the State of Pennsylvania for purposes not for profit to change alter and amend by by-law such provisions of their charters as are purely administrative and validating such changes alterations and amendments heretofore made" is hereby repealed

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

**SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 399**

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 399.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

**YEAS—50**

- |              |                 |            |              |
|--------------|-----------------|------------|--------------|
| Barr.        | Geltz.          | Meade,     | Tarr.        |
| Barrett,     | Haluska,        | Neff,      | Taylor,      |
| Berger,      | Hare,           | Pechan,    | Toole,       |
| Blass,       | Holland.        | Peelor,    | Wade,        |
| Chapman.     | Homsher.        | Robinson,  | Wagner,      |
| Crowe,       | Kephart,        | Rosenfeld. | Walker,      |
| Dent,        | Lane,           | Ruth,      | Watkins,     |
| Diehm.       | Lender,         | Scarlett,  | Watson,      |
| DiSilvestro. | Letzler,        | Snowden,   | Wolfe,       |
| Doehla,      | Lord,           | Stevenson, | Wood, L. H., |
| Donlan.      | Mahany,         | Stiefel,   | Wood, T. N., |
| Farrell.     | Mallery,        | Tallman,   | Yosko,       |
| Frazier.     | McPherson, Jr., |            |              |

**NAYS—0**

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

**BILL ON CONCURRENCE IN HOUSE AMENDMENTS**

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 400, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing the requirements of and effect of notice to shareholders in certain cases further limiting the use of certain words in corporate names defining the term of office of the first directors changing provisions relating to the inception of corporate existence or authority to do business changing the requirements of contents of articles of incorporation and application for certificates of authority providing for indemnification of directors and officers and other persons of certain expenses making certain changes relating to officers assistant officers and agents the determination of shareholders of record cancellation of acquired shares advertising in connection with articles of amendment issuance and redemption of shares amendment of articles of incorporation merger and consolidation providing for the domestication of foreign corporations and eliminating the filing of affidavit of paid-in capital and clearance certificates in certain cases

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

Section 1 Section eight of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended by adding at the end thereof two new subsections to read as follows

**Section 8 Notice of Meetings**

\* \* \* \* \*

D Whenever the language of a proposed resolution is

included in a written notice of a meeting of shareholders of a business corporation the shareholders' meeting considering the resolution may adopt it with such clarifying or other amendments as do not enlarge its original purpose without further notice to shareholders not present in person or by proxy

E Whenever by this act written notice is required to be given to shareholders of a business corporation of a proposal to be considered at a meeting of shareholders such notice unless waived shall be given at least sixty days before such meeting in any case where the proposal would increase either the aggregate per value of shares of all classes having par value which the corporation is authorized to issue or the aggregate number of shares of all classes without par value which the corporation is authorized to issue provided however that this subsection shall not apply to (1) an increase by virtue of which issued shares of a corporation are changed into a greater equal or smaller number of shares of the same or a different class or classes whether with or without par value and if with par value whether with a greater equal or smaller aggregate par value through the issuance of dividends in shares of the corporation or otherwise provided that if the stated capital applicable to such issued shares is thereby increased surplus equal to the amount of such increase is at or before such increase transferred to stated capital (2) a change of unissued shares with par value into an equal or smaller number of shares without par value or (3) a change of unissued shares without par value into an equal or smaller number of shares with par value

Section 2 Subsection A of section two hundred two of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 937) is hereby further amended to read as follows

Section 202 The Corporate Name A The corporate name may be in any language but must be expressed in English letters or characters and shall contain the word "corporation" "company" or "incorporated" or an abbreviation thereof except that the word "company" or the abbreviation "Co" may not be used where that word or abbreviation is immediately preceded by the word "and" or any symbol or substitute therefor unless the word "incorporated" or any abbreviation thereof immediately follows the word "company" or the abbreviation "Co" The corporate name shall not imply that the corporation is a governmental agency of the Commonwealth or of the United States or is subject to the supervision of the Department of Banking the Public Utility Commission or of the Insurance Department and shall not contain the word "bank" "banking" "bankers" "savings" "trust" "deposit" "insurance" "mutual" "assurance" "indemnity" "casualty" "fiduciary" "benefit" "beneficial" "benevolent" "public service" "public utility" "building and loan" "surety" "security" "guaranty" "guarantee" "cooperative" "State" "Commonwealth" "United States" or "Federal" except where the use of such words by ordinary and common interpretation could not imply that the corporation is a governmental agency of the Commonwealth or of the United States or is subject to the supervision of the Department of Banking the Public Utility Commission or of the Insurance Department nor shall the corporate name contain the word "college" or "university" when used in such a way as to give the impression that it is an educational institution conforming to the standards and qualifications prescribed by the State Council of Education unless there be submitted a certificate from the State Council of Education certifying that the corporation or proposed corporation is entitled to use such designation [Provided however That the word "State" "Commonwealth" "United States" or "Federal" may be used if such use does not imply that the corporation is a governmental agency of the Commonwealth or of the United States] provided however that the word college may be used when immediately preceded by the word "business" without certification from the State Council of Education

Section 3 Clauses (3) (8) and (9) of section two hundred four section two hundred five section two hundred seven subsection A of section two hundred eight and section two hundred ten of said act are hereby amended to read as follows

Section 204 Articles of Incorporation Articles of incorporation shall be signed by each of the incorporators and acknowledged by at least two of them before any officer within or without this Commonwealth authorized to take acknowledgments and shall set forth in the English language

(3) A [precise and accurate] statement of the purpose or purposes for which the corporation is organized and that it is organized under the provisions of this act

(8) The [amount of paid-in capital] value of property with which the corporation will begin business [which shall not be less than five hundred dollars (\$500) in cash]

(9) The names of the first directors their post office addresses [and their terms of office] including street and number if any who shall serve until the first annual meeting

Section 205 Advertisement The incorporators shall advertise their intention to file articles of incorporation with the Department of State one time in two newspapers published in the English language one of which shall be a newspaper of general circulation and the other the legal newspaper if any designated by the rules of the court for the publication of legal notices otherwise in two newspapers of general circulation published in the county in which the initial registered office of the corporation is to be located where there is but one newspaper of general circulation published in any county advertisement in such newspaper shall be sufficient advertisements shall appear at least three days prior to the day the articles of incorporation are filed with the Department of State and shall set forth briefly

(1) The name of the proposed corporation  
(2) A statement that the proposed corporation is to be organized under the provisions of this act

(3) The purpose or purposes of the proposed corporation [and]

(4) The time when the articles will be filed with the Department of State

(5) The names and addresses of the incorporators

Section 207 Effect of [Issuance] Approval of [Certificate] articles of Incorporation Upon the [issuance] approval of the [certificate] articles of incorporation by the Department of State the corporate existence shall begin and those persons who subscribe for shares prior to the [issuance of the certificate] approval of the articles of incorporation or their assignees shall be shareholders in the corporation The certificate of incorporation shall be conclusive evidence of the fact that the corporation has been incorporated but proceedings may be instituted by the Commonwealth to dissolve wind up and terminate a corporation which should not have been formed under this act or which has been formed without a substantial compliance with the conditions prescribed by this act as precedent to incorporation

Section 208 Conditions Precedent to Beginning Business Penalty for Violation of Section A A corporation formed under this act shall not incur any indebtedness or begin the transaction of any business except such as shall be incident to its organization or to the obtaining of subscriptions to or the payment for its shares until

(1) The amount of capital the value of property with which it will begin business as stated in the articles has been fully paid [and] or received

(2) There has been filed with the department of State an affidavit signed by at least a majority of the board of directors stating that the amount of capital with which it will commence business as stated in the articles has been fully paid in

Section 210 Organization Meetings After the [issuance] approval of the [certificate] articles of incorporation the



first meeting of the shareholders shall be held within or without this Commonwealth at the call of the shareholders who were the incorporators or a majority of them for the purpose of adopting by-laws unless the articles provide that by-laws shall be adopted by the board of directors and for such other purposes as shall be stated in the notice of the meeting The persons calling the meeting shall give to each shareholder at least ten days' written notice of the time place and purpose or purposes of the meeting

After the [issuance] approval of the [certificate] articles of incorporation an organization meeting of the board of directors named in the articles shall be held either within or without this Commonwealth at the call of a majority of the directors for the purpose of adopting by-laws if the articles authorize the directors to adopt by-laws of electing officers and of transacting such other business as may come before the meeting The directors calling the meeting shall give at least five days' written notice to each director named in the articles of the time and place of the meeting

Section 4 Section four hundred one of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 401 Board of Directors The business and affairs of every business corporation shall be managed by a board of at least three directors who shall be natural persons of full age and who need not be residents of this Commonwealth or shareholders in the corporation unless the articles or by-laws so require Each director shall hold office for the term for which he is elected and until his successor shall have been elected and qualified The names [and terms of office] of the first directors their post office address including street and number if any who shall serve until the first annual meeting shall be stated in the article Except as hereinafter provided in this article in the case of vacancies directors other than those constituting the first board of directors shall be elected by the shareholders A business corporation may allow compensation to its directors for their services and a director may also be a salaried officer of the corporation

Section 5 Sections four hundred two and four hundred three of said act are hereby amended to read as follows

Section 402 Number Qualifications and Election of Directors Subject to the provisions of this act the number qualifications terms of office manner of election time and place of meeting compensation and powers and duties of the directors may be prescribed from time to time by the by-laws Except as otherwise provided in the by-laws

(1) A director shall be elected for a term of at least one year except that the first directors shall serve only until the first annual meeting

(2) The number of directors shall be the same as that stated in the articles

(3) Vacancies in the board of directors shall be filled by a majority of the remaining members of the board though less than a quorum and each person so elected shall be a director until his successor is elected by the shareholders who may make such election at the next annual meeting of the shareholders or at any special meeting duly called for that purpose and held prior thereto

(4) The meetings of the board of directors may be held at such place within this Commonwealth or elsewhere as a majority of the directors may from time to time appoint or as may be designated in the notice calling the meeting

(5) A majority of the directors in office shall be necessary to constitute a quorum for the transaction of business and the acts of a majority of the directors present at a meeting at which a quorum is present shall be the acts of the board of directors Provided That if all the directors shall severally or collectively consent in writing to any action to be taken by the corporation such action shall be as valid corporate action as though it had been authorized at a meeting of the board of directors

(6) The board of directors may by resolution adopted by a majority of the whole board delegate two or more of its numbers to constitute an executive committee which to the extent provided in such resolution shall have and exercise the authority of the board of directors in the management of the business of the corporation

Section 403 Classification of Directors If the articles or by-laws of a business corporation so provide the directors of the corporation may be classified in respect to the time for which they shall severally hold office except that the first directors shall serve only until the first annual meeting In such case each class shall be as nearly equal in number as possible the term of office of at least one class shall expire in each year and the members of a class shall not be elected for a shorter period than one year or for a longer period than four years

Section 6 Section four hundred six of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 406 Officers and Agents Every business corporation shall have a President a Secretary and a Treasurer and may have such other officers and assistant officers and agents as it shall authorize from time to time the articles or by-laws may prescribe special qualifications for such officers the president and secretary shall be natural persons of full age the treasurer however may be a corporation but if a natural person shall be of full age [the officers assistant officers and agents shall be elected or appointed either by the Board of Directors or by the shareholders At such time in such manner and for such terms and compensation as the by-laws may prescribe] unless the articles or by-laws provide otherwise the Board of Directors shall elect or appoint and fix the compensation of such officers assistant officers and agents such officers assistant officer and agents shall be elected or appointed at such time in such manner and for such terms as the by-laws shall prescribe it shall not be necessary for the officers to be directors if the by-laws so provide any two or more office may be held by the same person except the offices of President and Secretary The Board of Directors may secure the fidelity of any or all of such officers by bond or otherwise unless otherwise provided in the by-laws the Board of Directors shall have power to fill any vacancies in any office occurring from whatever reason all officers and agents of the corporation as between themselves and the corporation shall respectively have such authority and perform such duties in the management of the property and affairs of the corporation as may be provided in the by-laws or in the absence of controlling provisions in the by-laws as may be determined by resolution of the Board of Directors

Section 7 Article four of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 410 Indemnification of Directors Officers and Other Persons Unless the articles provide otherwise a business corporation shall have power to indemnify any and all of its directors or officers or former directors or officers or any person who may have served at its request as a director or officer of another corporation in which it owns shares of capital stock or of which it is a creditor against expenses actually and necessarily incurred by them in connection with the defense of any action suit or proceeding in which they or any of them are made parties or a party by reason of being or having been directors or officers or a director or officer of the corporation or of such other corporation except in relation to matters as to which any such director or officer or former director or officer or person shall be adjudged in such action suit or proceeding to be liable for negligence or misconduct in the performance of duty such indemnification shall not be deemed exclusive of any other rights to which those indemnified may be entitled under any by-law agreement vote of shareholders or otherwise

Section 8 Section five hundred eight of said act is hereby amended to read as follows

**Section 508 (Voting Shares Held by Corporation)** [a] Any corporation owning shares in another corporation may vote the same by [its president] any of its officers or by proxy appointed by [him] any such officer unless some other person by resolution of its board of directors shall be appointed [to vote such shares] it general or special proxy in which case such person shall be entitled to vote the shares [upon the production of a certified copy of such resolution] Shares of its own capital stock belonging to a corporation shall not be voted directly or indirectly at any meeting and shall not be counted in determining the total number of outstanding shares for voting purposes at any given time but shares of its own capital stock held by it in a fiduciary capacity may be voted and shall be counted in determining the total number of outstanding shares at any given time

**Section 9** Section five hundred nine of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

**Section 509 Determination of Shareholders of Record** Unless the by-laws otherwise provide the Board of Directors may fix a time not [less than ten or] more than seventy days prior to the date of any meeting of shareholders or the date fixed for the payment of any dividend or distribution or the date for the allotment of rights or the date when any change or conversion or exchange of shares will be made or go into effect as a record date for the determination of the shareholders entitled to notice of and to vote at any such meeting or entitled to receive payment of any such dividend or distribution or to receive any such allotment of rights or to exercise the rights in respect to any such change conversion or exchange of shares in such case only such shareholders as shall be shareholders of record on the date so fixed shall be entitled to notice of and to vote at such meeting or to receive payment of such dividends or to receive such allotment of rights or to exercise such rights as the case may be notwithstanding any transfer of any shares on the books of the corporation after any record date fixed as aforesaid The Board of Directors may close the books of the corporation against transfers of shares during the whole or any part of such period and in such case written or printed notice thereof shall be mailed at least ten days before the closing thereof to each shareholder of record at the address appearing on the records of the corporation or supplied by him to the corporation for the purpose of notice while the stock transfer books of the corporation are closed no transfer of shares shall be made thereon unless a record date is fixed by the by-laws or the Board of Directors for the determination of shareholders entitled to receive notice of or vote at a shareholders' meeting Transfers of shares which are transferred on the books of the corporation within ten days next preceding the date of such meeting shall not be entitled to notice of or to vote at such meeting

**Section 10** Section five hundred thirteen of said act as amended by the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1123) is hereby further amended to read as follows

**Section 513 Informal Action by Shareholders** Except for the action required by subsection E of section eight or section three hundred nine of this act to be taken at a meeting of shareholders held after sixty days' notice [for increasing the authorized capital stock or indebtedness of a corporation] any action required by this act to be taken at a meeting of the shareholders of a corporation may be taken without a meeting if a consent in writing setting forth the action so taken shall be signed by all of the shareholders who would be entitled to vote at a meeting for such purpose and shall be filed with the secretary of the corporation

**Section 11** Sections six hundred one and subsection B of section six hundred two of said act are hereby amended to read as follows

**Section 601 Classes of Shares** Every business corporation shall have power to create and issue one or more classes or kinds of shares any or all of which classes

or kinds may consist of shares with par value or shares without par value with full limited or no voting rights and with such designations preferences qualifications privileges limitations options conversion rights and other special rights as shall be stated or authorized in the articles Any shares subject to redemption shall be redeemable only pro rata or by lot or by such other equitable method as is selected by the board of directors Shares of a business corporation shall be deemed personal property Except as otherwise provided by the articles each share shall be in all respects equal to every other share Unless the articles or by-laws otherwise provide the board of directors shall have the power by resolution duly adopted to issue from time to time in whole or in part the kinds or classes of shares authorized in the articles The power to increase or decrease or otherwise adjust the stated capital of a corporation as in this act elsewhere provided shall apply to all or any such classes or kinds of shares authorized by this section

**Section 602 Issuance of Certain Shares in Series**

\* \* \* \* \*

**B** If the articles shall expressly vest authority in the board of directors then to the extent that the articles shall not have establish series and fixed and determined the variations in the relative rights and preferences as between series the board of directors shall have authority by resolution to divide any or all of such classes into series and within the limitations set forth in this section fix and determine the relative rights and preferences of any series so established and to change redeemed or reacquired shares of one series thereof into shares of another series Such authority of the board of directors shall be subject to such limitations if any as are stated in the articles and shall always be subject to the limitation that the board of directors shall not create a sinking fund in respect of any series unless provision for a sinking fund at least as beneficial to all issued and outstanding shares of the same class shall either then exist or be at the same time created

**Section 12** Subsection C of section seven hundred five and subsection C of section seven hundred six of said act as amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 636) are hereby further amended to read as follows

**Section 705 Redemption and Cancellation of Shares**

\* \* \* \* \*

**C** The statement shall be delivered to the Department of State either prior to or within thirty days after the date of such redemption and cancellation [together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law] If the Department of State finds that the statement conforms to law [and that the certificate evidencing payment of bonus or taxes or charges delivered therewith is in proper form] it shall upon payment of the filing fee endorse its approval thereon shall file the statement and shall issue to the corporation or its representative a copy of the approved statement The filing of such statement shall operate as an amendment to the articles of the corporation and shall reduce the number of shares of the class so redeemed which the corporation is authorized to issue by the number of the shares so redeemed and cancelled Nothing contained in this section shall be construed to prohibit a reduction of authorized capital stock or a reduction of stated capital in any other manner permitted by this act

**Section 706 Reduction of Stated Capital Without Change in Share Structure**

\* \* \* \* \*

**C** The statement shall be delivered to the Department of State [together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law] If the Department of State finds that such statement conforms to law [and that the certificate evidencing payment of bonus or taxes or charges delivered therewith is in proper form] it shall upon pay-

ment of the filing fee endorse its approval thereon shall file the statement and shall issue to the corporation or its representative a copy of the approved statement Upon the filing of such statement the reduction shall be effective

Section 13 Article seven of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 708 Cancellation of shares acquired by corporation

A whenever any business corporation shall have acquired any shares of any class of its own capital stock either pursuant to the power granted it by subdivision (7) of section 302 of this act or by the surrender of such shares to the corporation on the conversion thereof into or the exchange thereof for other shares pursuant to its articles of incorporation it may by resolution of its board of directors cancel any or all of such shares if the resolution so provides such corporation may thereby reduce the number of shares of the class so cancelled which the corporation is authorized to issue by the number of shares so cancelled if the articles of incorporation prohibit the reissue of such shares such resolution shall so provide Such corporation may apply to such cancellation an amount out of its stated capital which shall not be greater than that portion of the stated capital represented by such shares at the time of such cancellation and the stated capital of the corporation shall be deemed to be reduced to this extent

B In every such case a statement of cancellation shall be executed under the seal of the corporation signed and verified by two duly authorized officers thereof which shall set forth

(1) The name of the corporation and the address of its registered office

(2) The aggregate number of shares which the corporation had authority to issue itemized by classes and series

(3) The number of shares cancelled itemized by classes and series

(4) A copy of the resolution of the board of directors directing such cancellation which shall recite either the provision of the articles of incorporation prohibiting the reissue of such shares or the absence of such provision

(5) The number of shares which the corporation has authority to issue itemized by classes and series after giving effect to such cancellation

(6) A statement of the aggregate number of issued shares itemized by classes par value of shares shares without par value and series if any within a class after giving effect to such cancellation

(7) A statement expressed in dollars of the amount of stated capital and the amount of the paid-in surplus of the corporation after giving effect to such cancellation

(8) Either a statement that at the time or times when the shares cancelled were acquired by the corporation the net assets of the corporation were not less than its stated capital and that their acquisition did not reduce its net assets below its stated capital or a statement that the cancelled shares were surrendered to the corporation on the conversion thereof into or the exchange thereof for other shares pursuant to its articles of incorporation

C The statement shall be delivered to the Department of State within thirty days after the adoption of the resolution aforesaid if the Department of State finds that the statement conforms to law it shall endorse its approval thereon shall file the statement and shall issue to the corporation or its representative a copy of the approved statement if the resolution aforesaid provided for a reduction in the number of shares which the corporation is authorized to issue the filing of such statement shall operate as an amendment to the articles of the corporation and shall reduce the number of shares of the class so cancelled which the corporation is authorized to issue by the number of shares so cancelled otherwise the shares so cancelled shall upon such filing have the status of authorized but unissued shares nothing contained in this section shall be construed to prohibit a reduction of

authorized capital stock or a reduction of stated capital in any other manner permitted by this act

Section 14 Sections eight hundred one and eight hundred two of said act are hereby amended to read as follows  
Section 801 Amendment of Articles Authorized A business corporation in the manner hereinafter provided in this article may from time to time amend its articles

(1) To adopt a new name subject to the restrictions heretofore provided in this act

(2) To modify any provisions thereof limiting its term of existence by increasing such term or to remove such provision and provide for perpetual existence

(3) To change add to or diminish its powers or purposes or to set forth different or additional powers or purposes

(4) To increase or diminish its authorized capital stock or to reclassify the same by changing the number par value designations preferences or relative participating optional or other special rights of the shares or the qualifications limitations or restrictions of such rights or by changing shares with par value into shares without par value or shares without par value into shares with par value either with or without increasing or decreasing the number of shares [and in any and as many other respects as desired provided that the articles as so amended would be authorized by this act as original articles of incorporation]

(5) In any and as many other respects as desired provided that the articles as so amended would be authorized by this act as original articles of incorporation

Section 802 Proposal of Amendments Every amendment to the articles shall [first] be proposed by either the board of directors by the adoption of a resolution setting forth the proposed amendment [and directing] or by petition of the holders of not less than ten per cent of the shares entitled to vote thereon setting forth the proposed amendment which petition shall be directed to and filed with the board of directors In either case the board of directors shall direct that it be submitted to a vote of the shareholders entitled to vote thereon at a designated meeting which may be either an annual meeting of the shareholders or a special meeting of the shareholders entitled to vote on the amendment The resolution or petition shall contain the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full or that any provision thereof be amended so as read as therein set forth in full or that the matter stated in the resolution or petition be added to or stricken from the articles

Section 15 Section eight hundred three of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 803 Notice of shareholders' meetings written notice shall not less than ten days before the shareholders' meetings called by the board of directors for the purpose of considering proposed amendments be given to each shareholder of record except [the written notice of any proposed amendment for increasing the authorized capital stock of the corporation (where such increase will involve an increase in the stated capital or paid-in surplus or both) shall be given to each shareholder of record at least sixty days before such meeting] that such notice shall be given sixty days before meetings called to consider proposals sixty days' notice of which is required by section eight E of the act such notice shall set forth the proposed amendment or a summary of the changes to be effected thereby

Section 16 Section eight hundred six of said act is hereby amended to read as follows

Section 806 Articles of amendment after an amendment has been adopted by the shareholders articles of amendment shall be executed under the seal of the corporation and verified by two duly authorized officers of the corporation and shall set forth

(1) The name and location of the registered office of the corporation

(2) The act of assembly under which the corporation

was formed and the date when and the place where the original articles were recorded

(3) The time and place of the meeting of the shareholders of the corporation at which the amendment was adopted and the kind and period of notice given to the shareholders

(4) The number of shares outstanding the number of shares entitled to vote on the amendment and if the shares of any class are entitled to vote as a class then the number of shares of each class and the number of shares of all other classes entitled to vote thereon

(5) The number of shares voted for and against such amendment respectively and if shares of any class are entitled to vote as a class the number of shares of such class and the number of shares of all other classes voted for and against such amendment respectively.

(6) The amendment adopted by the shareholders which shall be set forth in full

(7) If the total number of shares is to be increased or decreased the total number of shares including those previously authorized which the corporation will thenceforth be authorized to have the number of shares that have a par value thereof and the number of shares that have no par value and if shares are divided into more than one class a description of the classes and a statement of the number of shares in each class and of the relative rights voting powers preferences and restrictions granted to or imposed upon the shares of each class

Section 17 Section eight hundred seven of said act as amended by the act approved the second day of May one thousand nine hundred forty-seven (P. L. 137) is hereby further amended to read as follows

Section 807 Advertisement before or after an amendment has been adopted by the shareholders The corporation shall advertise its intention to file articles of amendment with the Department of State in a manner similar to that heretofore prescribed in this act in the case of the formation of a business corporation advertisements shall appear at least three days prior to the day upon which the articles of amendment are presented to the Department of State and shall set forth briefly

(1) The name and location of the registered office of the corporation

(2) A statement that the articles of amendment are to be filed under the provisions of this act

(3) The nature and character of the proposed amendment

(4) The time when the article of amendment will be filed with the Department of State

Section 18 Sections eight hundred nine nine hundred two and nine hundred three of said act are hereby amended to read as follows

Section 809 Effective Date of Amendment Upon the [issuance] approval of the [certificate] articles of amendment by the Department of State the amendments shall become effective and the articles of incorporation shall be deemed to be amended accordingly The certificate of amendment shall be conclusive evidence of the performance of all conditions required in this act in proceedings to amend the articles of incorporation except as against the Commonwealth No amendment shall affect any existing cause of action in favor of or against the corporation or any pending suit in which the corporation shall be a party or the existing rights of persons other than shareholders and in the event the corporate name shall be changed by the amendment no suit brought by or against the corporation under its former name shall be abated for that reason

Section 902 Approved of Joint Plan of Merger or Consolidation A The board of directors of each of the domestic corporations which desire to merge or consolidate shall by resolution adopted by at least a majority vote of all the members of each board approve a joint plan of merger or consolidation as the case may be setting forth the terms and conditions of the merger or consolidation and mode of carrying the same into effect the manner and basis of converting the shares of each corporation into shares or other securities or obligations of the surviving or new

corporation as the case may be and such other details and provisions as are deemed necessary

B The board of directors of each domestic corporation upon approving such plan of merger or plan of consolidation shall by resolution direct that the plan be submitted to a vote of the shareholders of such corporation entitled to vote thereon at an annual or special meeting of the shareholders Written notice shall not be less than ten days before such annual or special meeting be given to each shareholder of record of such corporation whether or not entitled to vote on such plan unless the plan of merger or plan of consolidation contemplates an increase in the aggregate of the authorized capital stock of the constituent corporations in which event sixty days' notice of such meeting shall be given to each shareholder The notice shall state the place day hour and purpose of the meeting and a copy or a summary of the plan of merger or plan of consolidation as the case may be shall be included in or enclosed with such notice

C The plan of merger or consolidation shall be approved upon receiving the affirmative vote of the holders of at least the majority of the outstanding shares entitled to vote thereon of each of the merging or consolidating domestic corporations unless any class of shares of any of such corporations is entitled to vote thereon as a class in which event as to such corporation the plan of merger or consolidation shall be approved upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares of each class of shares entitled to vote thereon as a class and the affirmative vote of the holders of at least a majority of all outstanding shares entitled to vote thereon

D The plan of merger or consolidation shall be authorized adopted or approved by each of the foreign corporations which desire to merge or consolidate in accordance with the laws of the jurisdiction in which it was formed

Section 903 Articles of Merger or Consolidation Upon the approval of the plan of merger or the plan of consolidation by the [shareholders of the] corporations desiring to merge or consolidate as provided in the preceding section articles of merger or articles of consolidation as the case may be shall be executed under the seal of each corporation signed and verified by two duly authorized officers of each corporation and shall set forth

(1) The name and the location of the registered office of the domestic surviving or new corporation or in the case of a foreign surviving or new corporation the name of such corporation and its domiciliary state together with the location of its office registered with such state

(2) The time and place of the meeting of the shareholders of each domestic corporation at which the plan of merger or consolidation as the case may be was adopted the kind and period of notice given to the shareholders and the total vote by which the plan was adopted

(2.1) The fact that the plan of merger or consolidation was authorized adopted or approved as the case may be by each of the foreign corporations in accordance with the laws of the jurisdiction in which it was formed

(3) Any changes desired to be made in the articles of the surviving corporation in the case of a merger or in the case of a consolidation if the new corporation be A domestic corporation all of the statements required by this act to be set forth in original articles in the case of the formation of a corporation

(4) The number names and addresses of the persons to be the first directors of the surviving or new corporation

(5) The plan of merger or consolidation

(6) If the surviving or new corporation is to be a foreign corporation a designation of the Secretary of the Commonwealth and his successor in office as the true and lawful attorney of such corporation upon whom may be served all lawful process in any action or proceeding against it for enforcement against it of any obligation of any constituent domestic corporation or any obligation arising from the merger or consolidation proceedings or any action or proceeding to determine and enforce the rights of any shareholder under the provisions of section

nine hundred eight of this act and an agreement that the service of process upon the Secretary of the Commonwealth shall be of the same legal force and validity as if served on such corporation and that the authority for such service of process shall continue in force as long as any of the aforesaid obligations and rights remain outstanding in this Commonwealth

Section 19 Section nine hundred four of said act as last amended by the act approved the second day of May one thousand nine hundred forty-seven (P. L. 141) is hereby further amended to read as follows

Section 904 Advertisement [Each] The constituent [corporation subject to the provisions of this act] domestic corporations shall advertise [its intention] their intentions to file articles of merger or articles of consolidation as the case may be with the Department of State in newspapers published in the counties in which the registered offices of the corporation are located in a manner similar to that heretofore prescribed in this act in the case of the formation of a business corporation Advertisements shall appear at least three days prior to the day on which the articles of merger or articles of consolidation are presented to the Department of State and shall set forth briefly

(1) The name and location of the registered office of each of the corporations intending to merge or consolidate

(2) The name and the location of the proposed registered office of the domestic surviving or new corporation or in the case of a foreign surviving or new corporation the name of such corporation and its domiciliary state together with the location of its office registered with the state

(3) A statement that the articles of merger or consolidation are to be filed under the provisions of this act

(4) The purpose or purposes of the surviving or new corporation

(5) The time when the articles of merger or consolidation will be delivered to the Department of State

Section 20 Section nine hundred five of said act as amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 636) is hereby further amended to read as follows

Section 905 Filing of Articles of Merger or Consolidation The articles of merger or articles of consolidation as the case may be and proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State except that no such certificate shall be required of the surviving corporation in cases of merger If the Department of State finds that such articles conform to law and that the certificate or certificates evidencing payment of bonus or taxes or charges delivered therewith is in proper form it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon and file the articles and issue to the surviving or new corporation or its representative a certificate of merger or a certificate of consolidation as the case may be to which shall be attached a copy of the approved articles

Section 21 Sections nine hundred six and nine hundred seven of said act are hereby amended to read as follows

Section 906 Effective Date of Merger or Consolidation Upon the [issuance] approval of the [certificate] articles of merger or the [certificate] articles of consolidation by the Department of State the merger or consolidation shall be effective The certificate of merger or the certificate of consolidation shall be conclusive evidence of the performance of all conditions precedent to such consolidation or merger and the creation or existence of a new or surviving corporation except as against the Commonwealth The merger or consolidation of one or more domestic corporations into a foreign corporation shall be effective according to the provisions of law of the jurisdiction in which such foreign corporation was formed but not until articles of merger or articles of consolidation

have been adopted and filed as heretofore provided in this act

Section 907 Effect of Merger or Consolidation Upon the merger or consolidation becoming effective the several corporations parties to the plan of merger or consolidation shall be a single corporation which in the case of a merger shall be that corporation designated in the plan of merger as the surviving corporation and in the case of a consolidation shall be the new corporation provided for in the plan of consolidation The separate existence of all corporations parties to the plan of merger or consolidation shall cease except that of the surviving corporation in the case of a merger The surviving or new corporation as the case may be if it be a domestic corporation shall not thereby acquire authority to engage in any business or exercise any right which a corporation may not be formed under this act to engage in or exercise All the property real personal and mixed of each of the corporations parties to the plan of merger or consolidation and all debts due on whatever account to any of them including subscriptions to shares and other choses in action belonging to any of them shall be taken and deemed to be transferred to and vested in the surviving or new corporation as the case may be without further act or deed The surviving or new corporation shall thenceforth be responsible for all the liabilities and obligations of each of the corporations so merged or consolidated but the liabilities of the merging or consolidating corporations or of their shareholders directors or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such corporations or any liens upon the property of such corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or against any of such corporations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new corporation may be proceeded against or substituted in its place in the case of a merger the articles of incorporation of the surviving corporation shall be deemed to be amended to the extent if any that changes in its articles are stated in the articles of merger and in the case of a consolidation the statements which are set forth in the articles of consolidation and if the new corporation be a domestic corporation which are required or permitted to be set forth in the articles of incorporation of corporations formed under this act shall be deemed to be the articles of incorporation of the new corporation The aggregate amount of the net assets of the merging or consolidating corporations which was available for the payment of dividends immediately prior to such merger or consolidation to the extent that the value thereof is not transferred to stated capital by the issuance of shares or otherwise shall continue to be available for the payment of dividends by such surviving or new corporation

Section 22 Subsections A and B of section nine hundred eight of said act as amended by the act approved the thirty-first day of March one thousand nine hundred forty-one (P. L. 13) are hereby further amended to read as follows

Section 908 Rights of Dissenting Shareholders A If any shareholder of a domestic corporation which becomes a party to a plan of merger or consolidation shall file with such corporation prior to or at the meeting of shareholders at which the plan of merger or consolidation is submitted to a vote a written objection to such plan of merger or consolidation and shall not vote in favor thereof and such shareholder within twenty days after the merger or consolidation was effected shall also make written demand on the surviving or new corporation for the payment of the fair value of his shares as of the day prior to the date on which the vote was taken approving the merger or consolidation without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation the surviving or new corporation shall pay to such shareholders the fair value of his shares upon surrender of the share certificate or certificates representing his shares The demand of the shareholder shall state the

number and class of the shares owned by him Unless a shareholder files such written objection and also makes such demand within the twenty-day period he shall be conclusively presumed to have consented to the merger or consolidation and shall be bound by the terms thereof If within thirty days after the date on which such merger or consolidation was effected the value of such shares shall be agreed upon between the dissenting shareholder and the surviving or new corporation payment thereof shall be made in cash within ninety days after the date on which such merger or consolidation was effected upon the surrender of the share certificate or certificates representing his shares Upon payment of the agreed value the dissenting shareholder shall cease to have any interest in such shares or in the corporation

B If within such period of thirty days the shareholder and the surviving or new corporation do not so agree then the dissenting shareholder may within sixty days after the expiration of the thirty-day period apply by petition to the court of common pleas in equity within the county in which the registered office of the surviving or new corporation is situated if it be a domestic corporation or if it be a foreign corporation to the court of common pleas in equity within the county in which was situated the registered office of the corporation on which such petitioner was a shareholder which shall be deemed to be the county in which the cause of action of such petitioner arose and all process in such proceeding shall be served upon the surviving or new foreign corporation as provided in section one thousand eleven of this act for the appointment by the court of three disinterested persons to appraise the fair value of his shares without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation The award of the appraisers or of a majority of them shall be submitted to the court for determination and the judgment of the court thereon shall be final and conclusive The costs of such appraisal including a reasonable fee to the appraisers shall be fixed by the court and shall be borne by the surviving or new corporation unless in the opinion of the court the action of any shareholder in refusing the offer of the corporation has been arbitrary vexatious or in bad faith in which case the costs shall be assessed in the discretion of the court The award shall be payable only upon and simultaneously with the surrender to the surviving or new corporation of the share certificate or certificates representing the shares of the dissenting shareholder If the award shall not be paid by the surviving or new corporation within thirty days after the order of the court thereon the amount of the award shall be a judgment against the surviving or new corporation as the case may be and may be collected as other judgments in such court are by law collectible Upon the payment of the award or judgment the dissenting shareholder shall cease to have any interest in such shares or in the surviving or new corporation Such shares may be held and disposed of by the surviving or new corporation as it may see fit Unless the dissenting shareholder shall file a petition within the time herein limited such shareholder and all persons claiming under him shall be conclusively presumed to have approved and ratified the merger or consolidation and shall be bound by the terms thereof

Section 23 Article nine of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 909 Domestication of Foreign Corporations A Any foreign business corporation holding a certificate of authority to do business in this Commonwealth may become a domestic corporation of this Commonwealth by delivering or causing to be delivered to the Department of State articles of domestication If the Department of State finds that the articles conform to law it shall forthwith endorse its approval thereon and when all bonus fees and charges have been paid as required by law shall file the articles and issue to the foreign corporation a certificate of domestication to which shall be attached a copy of the articles The articles upon being approved and filed by the Department of State shall constitute the charter of

the domesticated foreign corporation and it shall thereafter have all the powers and privileges and be subject to all the duties and limitations granted and imposed upon domestic corporations under the provisions of this act

B If such articles are for the domestication of a foreign business corporation for the transaction of any business in which a corporation may not engage without the approval of or a license from any department board or commission of the Commonwealth the Department of State shall upon the approval of the certificate of domestication promptly certify the fact of such domestication to each such department board or commission setting forth the name of the corporation and post office address of the initial registered office in this Commonwealth the date of approval of the certificate of domestication the purpose or purposes for which the corporation is organized and the names and addresses of the then officers of such corporation

C The articles of domestication shall be signed and acknowledged by the president of the corporation attested by its secretary with its corporate seal thereto affixed and shall set forth in the English language

(1) The name of the corporation unless the name is in a foreign language in which case it shall be set forth in English letters or characters

(2) The location and post office address of its initial registered office in this Commonwealth

(3) A statement of the purpose or purposes for which the corporation was organized and that upon domestication it will be subject to the provisions of this act

(4) The term for which it was originally incorporated and the term for which upon domestication it is to exist which may be perpetual

(5) The aggregate number of shares which the corporation under its foreign charter is authorized to issue the number of shares issued and outstanding thereof and the par value of each of the shares or a statement that all of the shares are without par value or if such shares are divided into classes the number of shares if any that have a par value and the par value of each share of each such class the number of shares of each class if any that are without par value and the number of shares issued and outstanding of each such class

(6) If the shares are divided into classes a description of each class and a statement of the preferences qualifications limitations restrictions and the special or relative rights granted to or imposed upon the shares of each class

(7) If the corporation is authorized to issue the shares of any preferred or special class in series a description of each series and a statement of the variations in the relative rights and preferences as between different series in so far as the same are fixed in the original articles of incorporation and a statement of any authority vested in the board of directors to establish series and fix and determine the variations in the relative rights and preferences as between series

(8) The value of property with which the corporation will begin business upon domestication

(9) The names of the present directors and their post office addresses including street and number if any

(10) The names and post office addresses including street and number if any of the present officers

(11) A statement of the legislation under which it was originally incorporated

Said articles shall be accompanied by a resolution duly certified by the secretary of the corporation adopted by a majority of the stockholders entitled to vote at any regular or special meeting of the corporation consenting to the filing of the articles of domestication and the renunciation of its original charter or articles

Section 24 Clause (7) of section one thousand four of said act is hereby amended to read as follows

Section 1004 Application for a Certificate of Authority The foreign business corporation or its representative shall deliver to the Department of State a copy of its articles and all amendments thereto duly certified by the proper public officer of the state or country of its incorporation or if the corporation is created by a special

law and has no articles a duly certified copy of such law a verified translation of any part of such articles amendments or law which is in a foreign language proof of the advertisement heretofore required by this article and an application for a certificate of authority executed under the seal of the corporation and signed and certified by at least two duly authorized officers thereof which shall set forth

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(7) [The character and nature of the business it proposes to do within this Commonwealth] a brief statement of the business it proposes to do within this Commonwealth

Section 25 Section one thousand five of said act as last amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 1005 Issuance of Certificate of Authority A If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to a certificate of authority to do business in this Commonwealth it shall forthwith but not prior to the day specified in the advertisement heretofore required in this article endorse its approval upon the application for a certificate of authority and when all bonus fees and charges have been paid as required by law shall file the application and the copy of the articles and shall issue to the corporation a certificate of authority to do business in this Commonwealth The certificate of authority shall set forth the name of the corporation the address of its registered office in this Commonwealth and the character and nature of the business it is authorized to transact in this Commonwealth or a summary thereof Upon the [issuance] approval of the application for a certificate of authority by the Department of State the corporation may do in this Commonwealth any or all of the kinds of the business referred to in the certificate of authority and no other subject however to the right of the Commonwealth to cancel or revoke such right to transact business in this Commonwealth as provided in this act The certificate of authority shall be delivered to the corporation or its representative

B If the applicant corporation desires to transact any business in which a corporation may not engage without the approval of or license from any department board or commission of the Commonwealth the Department of State shall upon the [issuance] approval of the application for a certificate of authority promptly certify the fact of [the] such [issuance] approval [of such certificate of authority] to each such department board or commission setting forth the name of the corporation the name of the state or country under the laws of which it is formed the address of the proposed registered office in this Commonwealth the general character of the business it proposes to transact within Pennsylvania and the date of [issuance] approval of the application for a certificate of authority

Section 26 Subsections A and C of section one thousand seven of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-five P. L. 937) are hereby further amended to read as follows

#### Section 1007 Amended Certificate of Authority

A After receiving a certificate of authority a foreign business corporation may subject to the provisions of this act change its name or be authorized to do in this Commonwealth other or additional business than that authorized by its certificate of authority by filing with the Department of State an application for an amended certificate of authority together with a copy of the amendment merger or change of name duly authenticated by the proper official of the state or country under the laws of which such corporation is organized and proof of the advertisement hereinafter required by this section [and a certificate or certificates from the proper department or departments of this Commonwealth evidencing payment by the corporation of all bonus taxes and charges as required by law] such application shall be executed under

the seal of the corporation signed and certified by two duly authorized officers thereof and shall set forth the changes desired by the corporation

\* \* \* \* \*

C If the Department of State finds that the provisions of this article have been complied with [that the certificate evidencing payment of bonus taxes and charges is in proper form] and that the applicant corporation is entitled to an amended certificate of authority it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement heretofore required by this section endorse its approval upon the application and file the application and issue to the applicant corporation an amended certificate of authority setting forth the desired changes

Section 27 Section one thousand nine of said act amended by the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 937) is hereby further amended to read as follows

Section 1009 Merger or Consolidation of Foreign Business Corporations A Whenever a foreign business corporation authorized by a certificate of authority to transact business in this Commonwealth shall be a party to a statutory merger or consolidation permitted by the laws of the state or country under which it is organized and such corporation shall be the surviving corporation it shall forthwith file with the Department of State a copy of the articles of merger duly authenticated by the proper officers of the state or country under the laws of which such statutory merger was effected and pay to the Department of State the prescribed fee for such filing It shall not be necessary for such corporation to procure either a new or amended certificate of authority to transact business in this Commonwealth unless the name of such corporation be changed thereby or unless the corporation desires to transact in this Commonwealth other or additional business than that which it is then authorized to transact in this Commonwealth

Section 28 Section one thousand eleven point one of said act as added by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 703) is hereby amended to read as follows

Section 1011.1 Subpoena to Foreign Corporations to Produce Records Service Any court having civil or criminal jurisdiction in any county of the Commonwealth may issue its subpoena with clause of duces tecum upon any foreign corporation registered to do business within the Commonwealth under this act directing such foreign corporation its proper officers agents or employes to produce before such court having jurisdiction any books papers records or documents in the possession of such foreign corporation as shall be designated in such subpoena Such subpoena with clause of duces tecum may be served upon such foreign corporation in the manner provided by this act for the service of process upon foreign corporations

Section 29 Section one thousand one hundred one of said act as last amended by the act approved the second day of May one thousand nine hundred forty-seven (P. L. 139) is hereby further amended to read as follows

Section 1101 Voluntary Dissolution by Incorporators The incorporators of a business corporation which has not commenced business or which has not issued any shares may effect the dissolution of the corporation by filing articles of dissolution with the Department of State The articles of dissolution shall be executed under the seal of the corporation signed and verified by a majority of the incorporators and shall set forth

- (1) The name of the corporation
- (2) The address including street and number if any of its registered office
- (3) The date of its incorporation
- (4) That the corporation has not commenced business and that none of its shares has been issued
- (5) That the amount if any actually paid in on subscriptions to its shares less any part thereof disbursed for necessary expenses has been returned to those entitled thereto

- (6) That no debts of the corporation remain unpaid  
 (7) That all the incorporators elect that the corporation be dissolved

The articles of dissolution shall be delivered to the Department of State if the Department of State finds that the articles conform to law it shall upon payment of the filing fee endorse its approval thereon and shall file the articles and issue a certificate of dissolution to the incorporators or their representative to which shall be attached a copy of the approved articles Upon the [issuance of the certificate] approval of the articles of dissolution the existence of the corporation shall cease

Section 30 Section one thousand one hundred five of said act as last amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 636) is hereby further amended to read as follows

Section 1105 Articles of Dissolution When all debts liabilities and obligations of the corporation have been paid and discharged or adequate provision shall have been made therefor and all of the remaining property and assets of the corporation shall have been distributed to its shareholders articles of dissolution shall be executed under the seal of the corporation and signed and verified by two duly authorized officers of the corporation which shall set forth

- (1) The name of the corporation
- (2) The address including street and number if any of the registered office of the corporation
- (3) A statement that the corporation has theretofore delivered to the Department of State a certificate of election to dissolve and the date on which the certificate was filed by the Department of State
- (4) A statement that all debts obligations and liabilities of the corporation have been paid and discharged or that adequate provision has been made therefor
- (5) A statement that all the remaining property and assets of the corporation have been distributed among its shareholders in accordance with their respective rights and interests
- (6) A statement that there are no suits pending against the corporation in any court or that adequate provisions has been made for the satisfaction of any judgment or decree which may be obtained against the corporation in each such pending suit

The articles of dissolution proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State if the Department of State finds that such articles conform to law and that the certificate delivered therewith evidencing payment of bonus or taxes or charges is in proper form it shall upon payment of the filing fee endorse its approval thereon and shall file the articles and issue to the corporation or its representative a certificate of dissolution to which shall be attached a copy of the approved articles Upon the [issuance of the certificate] approval of the articles of dissolution the existence of the corporation shall cease

Section 31 This act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 400

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 400.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 494, as follows:

An Act to add section one thousand three hundred seventy-three point one to the act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for Commonwealth reimbursement for certain costs incurred by school districts in connection with the education of handicapped children The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the tenth day of March one thousand nine hundred forty-nine (Act No 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding after section one thousand three hundred seventy-three thereof a new section to read as follows

Section 1373.1 Readers Helpers Guides Aids Appliances Etc Reimbursement The Commonwealth shall reimburse school districts out of the moneys appropriated to the Department of Public Instruction for special education for the cost of readers helpers guides aids appliances special school books and supplies and devices for any child between the ages of six and twenty-one years of age who is blind deaf or afflicted with cerebral palsy and who is enrolled with the approval of the Department of Public Instruction in any of the public schools of the Commonwealth an amount equal to the costs of these services and equipment multiplied by the district's reimbursement fraction

No such expenditures nor purchases may be made by any school district unless in accordance with a budget submitted by the district and approved by the Department of Public Instruction The total expenditure by the Commonwealth hereunder shall not exceed seventy-five per cent of a sum which would have been expended for the tuition and maintenance of any such child in a residential school for the blind deaf or those afflicted with cerebral palsy that has been approved by the Department of Public Instruction for the education of the blind deaf or those afflicted with cerebral palsy



The services of such readers helpers and guides may be contracted and paid for by the school district irrespective of the age of the person rendering such assistance and of the employment of such person by the school district as a teacher or otherwise and of the time and place where such services are rendered

The Department of public Instruction shall establish such necessary rules regulations and standards as it may deem necessary for carrying out the provisions of this act

Section 2 The provisions of this act as well as the provisions of the section added thereby shall become effective on the first day of July one thousand nine hundred forty-nine

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

**SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 494**

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 494.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

**YEAS—50**

Barr.	Geltz.	Meade.	Tarr.
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	
Frazier,	McPherson, Jr.,		

**NAYS—0**

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

**BILL ON CONCURRENCE IN HOUSE AMENDMENTS**

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 530, as follows:

An Act to amend section ten of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1410) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphan's courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith" by increasing the minimum annual salaries of associate judges not learned in the law

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

Section 1 Section ten of the act approved the seventh

day of July one thousand nine hundred forty-seven (P. L. 1410) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphan's courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith" is hereby amended to read as follows

Section 10 The salaries or compensation of the associate judges not learned in the law of the courts of this Commonwealth shall be as follows each such associate judge shall receive six dollars (\$6) per day for every day he may be employed in the discharge of his official duties Provided That the salary of no such associate judge shall be less than [seven hundred twenty dollars (\$720)] nine hundred dollars (\$900) annually each of said judges shall continue to be entitled to mileage as now provided by existing law

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

**SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 530**

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 530.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

**YEAS—50**

Barr.	Geltz.	Meade.	Tarr.
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Walker,
Crowe,	Kephart,	Rosenfeld,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Diehm,	Leader,	Scarlett,	Wolfe,
DiSilvestro,	Letzler,	Snowden,	Wood, L. H.,
Doehla,	Lord,	Stevenson,	Wood, T. N.,
Donlan,	Mahany,	Stiefel,	Yosko,
Farrell,	Mallery,	Tallman,	
Frazier,	McPherson, Jr.,		

**NAYS—0**

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

**BILL ON CONCURRENCE IN HOUSE AMENDMENTS**

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 761, as follows:

An Act providing for the payment into the State Treasury through the Department of Revenue without escheat of certain unclaimed funds held under policies of life or endowment insurance or annuity contracts and owing to persons whose last known address was in this Commonwealth by life insurance companies doing business in this Commonwealth requiring reports of such funds by such life insurance companies requiring notices and publication by the Department of Revenue of certain

information pertaining to such unclaimed funds conferring powers and imposing duties on certain State officers boards and departments indemnifying and agreeing to hold harmless life insurance companies upon payment of such funds to the Department of Revenue providing for refunds of such funds requiring the Department of Revenue to keep certain records exempting certain unclaimed funds making certain other statutes inapplicable and prescribing penalties

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

Section 1 Title This act shall be known as the "Unclaimed Funds Act for Life Insurance Companies"

Section 2 Scope This act shall apply to all unclaimed funds as hereinafter defined of any life insurance company doing business in this Commonwealth where the last known address according to the records of such company of the person entitled to such funds is within this Commonwealth provided that if a person other than the insured or annuitant insured shall be entitled to such funds and no address of such person is known to such company or if it be not definite and certain from the records of such company what person is entitled to such funds then in either event it shall be presumed for the purposes of this act that the last known address of the person entitled to such funds is the same as the last known address of the insured or annuitant according to the records of such company

Section 3 Definitions The term "unclaimed funds" as used in this act shall mean and include all monies held and owing by any life insurance company doing business in this Commonwealth which shall have remained unclaimed and unpaid for seven years or more after it is established from the records of such company that such monies became due and payable under any life or endowment insurance policy or annuity contract which has matured or terminated but shall not include amounts of less than five dollars (\$5) which on the effective date of this act shall have been unclaimed and unpaid for more than ten years A life insurance policy not matured by actual proof of the prior death of the insured shall be deemed to be matured and the proceeds thereof shall be deemed to be "due and payable" within the meaning of this act if such policy is still in force when the insured shall have attained the limiting age under the mortality table on which the reserve is based Monies otherwise admittedly due and payable shall be deemed to be "held and owing" within the meaning of this act although the policy or contract shall not have been surrendered as required "Department" shall mean the Department of Revenue of this Commonwealth

Section 4 Reports Every such life insurance company shall on or before the first day of April of each year make a report in writing to the department of all unclaimed funds as hereinbefore defined held and owing by it on the 31st day of December next preceding Such report shall be signed and sworn to by an officer of such company and shall set forth (1) in alphabetical order the full name of each insured or annuitant his last known address according to the company's records and the policy numbers (2) the amount appearing from the company's records to be due on each policy or contract (3) the date such unclaimed funds became payable (4) the name and last known address of each beneficiary or other person who according to the company's records may have an interest in such unclaimed funds and (5) such other identifying information as the department may require

Section 5 Notice and Publication

(a) When the proceeds of any policy of life insurance or annuity contract shall be first reported to the department the department shall notify the persons entitled thereto of such fact by mail so far as possible and shall publish once a week for two weeks during the month of July in each year in one or more general newspapers in each county of this Commonwealth in which is located the last known address of each person appearing to be entitled to such funds a true and accurate statement containing the names addresses and amounts of money

owing to such person or for whose benefit the same is held

(b) The department if it deems it to be the best interest of the Commonwealth may make such publication in a legal periodical designated by rules of court for the publication of legal notices in addition to publication in a general newspaper

(c) It shall not be obligatory upon the department to publish any item of the above described monies where the amount involved is less than fifty dollars (\$50) but publication of any such item may be made if the department thinks such publication is in the best interest of the Commonwealth

Section 6 Payment to Department of Revenue All unclaimed funds contained in the report required to be filed by section 4 of this act excepting those which have ceased to be unclaimed funds since the date of such report shall be paid over to the department on or before the following November 1st

The department shall have the power for cause shown to extend for a period of not more than one year the time within which a life insurance company shall file any report and in such event the time for publication and payment required by this act shall be extended for a like period

Section 7 custody of unclaimed funds in commonwealth insurers indemnified Upon payment of such unclaimed funds to the department the Commonwealth shall assume for the benefit of those entitled to receive the same and for the safety of the money so paid the custody of such unclaimed funds and the life insurance company making such payment shall immediately and thereafter be relieved of and held harmless by the Commonwealth from any and all liability for any claim or claims which exist at such time with reference to such unclaimed funds or which thereafter may be made or may come into existence on account of or in respect to any such unclaimed funds

Section 8 Refunds

(a) Any person legally entitled to any monies which have been paid to the department may at any time apply to the Board of Finance and Revenue for a refund of the same and upon his making proof to the satisfaction of the Board of (1) ownership or right of possession and (2) that such person shall not have made claim for or received such monies from the life insurance company under whose policy or policies or contract or contracts they were due and payable such monies shall be paid to such person on the requisition of the Board and the warrant of the Auditor General drawn on the State Treasurer in conformity therewith out of any monies in the State Treasury appropriated for the purpose with interest thereon at the rate of two per centum per annum from the date when the said monies were paid to the department to the date of refund thereof

(b) Any life insurance company which has paid to the department monies deemed unclaimed funds pursuant to the provisions of this act may make payment to any person appearing to such company to be entitled thereto and upon proof of such payment and proof of the payee's ownership or right to possession to the satisfaction of the Board of Finance and Revenue such monies shall be paid to such life insurance company on the requisition of the Board and the warrant of the Auditor General drawn on the State Treasurer in conformity therewith out of any monies in the State Treasury appropriated for the purpose or if the monies so appropriated are inadequate or if no such appropriation has been made the amount to be refunded shall be entered by the department as a credit to the account of the claimant Such credit or any part thereof shall be assignable to any other person firm association or corporation and may be used by any such assignee in payment and satisfaction of any obligation or liability then or thereafter due by such assignee to the Commonwealth of Pennsylvania

(c) Any claimant for any such refund of money under either subsection (a) or (b) of this section may appeal by petition to the court of common pleas of Dauphin

County from an adverse decision of the Board of Finance and Revenue which court shall thereupon hear such testimony as may be offered in support of the claim and determine whether or not the claimant is entitled to any refund of money and if so the amount thereof or the nature or character thereof. If the court find that he is so entitled it shall report its findings to the Board and order the making of a refund of the proper amount of money. Thereupon the refund shall be made in the manner hereinbefore provided. No such appeal shall be entertained however unless the claimant shall file with his petition an affidavit that all proof which he proposes to offer in support of the claim had been presented to the Board of Finance and Revenue before that Board acted adversely upon his claim.

(d) An appeal may be taken by either party from the judgment of the court of common pleas of Dauphin County in any action arising under the provisions of paragraph (c) of this section as in other cases.

**Section 9 Records Required** The department shall keep in its office a public record of each payment of unclaimed funds received by it from any life insurance company. Such record shall show in alphabetical order the name and last address of each insured or annuitant and of each beneficiary or other person who according to the company's reports may have an interest in such unclaimed funds and with respect to each policy its number, the name of the company and the amount due.

**Section 10 Payments to other States** This act shall not apply to or affect any unclaimed funds which have been paid to another state or jurisdiction prior to the effective date hereof.

**Section 11 Other Acts not applicable** No other statute of this Commonwealth now in force relating to escheat or payment into the State Treasury without escheat of unclaimed funds of life insurance companies shall apply to any unclaimed funds covered by this act nor shall any such statute hereafter enacted so apply unless specifically made applicable by its provisions.

**Section 12 Penalties failure to make reports false oath in report**

(a) If it shall appear that any company has wilfully failed at any time to make any report required under the provisions of this act such company shall be liable to pay to the Commonwealth interest at the rate of twelve per centum per annum from the time such report should first have been made to be computed upon the value of said reportable items as finally established in any proceedings under the provisions of this act and to be recovered in such proceedings.

(b) The making of a wilful false oath in any report required under the provisions of this act shall be perjury and punishable as such according to law. If any officer or employe of any company required to make a report under the provisions of this act shall wilfully fail to make such report when and as required by this act he shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding one thousand dollars (\$1000) or imprisonment not exceeding three months either or both in the discretion of the court.

**Section 13 Bar of Statutes of Limitation** The bar of statutes of limitation and presumptions of payment shall not affect the duty of making reports and payments to the Commonwealth under the provisions of this act.

**Section 14 Effective Date** This act shall take effect January 1 1950.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

**SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No 761**

Mr. WALKER, Mr. President, I move that the Senate

do concur in the amendments made by the House to Senate Bill No. 761.

Mr. HARE, Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows:

**YEAS—50**

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

**NAYS—0**

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

**BILL ON CONCURRENCE IN HOUSE AMENDMENTS**

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 762, as follows:

An Act to further amend the act approved the seventh day of June 1915 (P. L. 878) entitled as amended "An act providing for the escheat of certain property received for storage or safe-keeping or otherwise and of certain deposits of money also for the escheat of certain dividends profits debts and interest on debts of corporations companies banks national banks trust companies insurance companies limited partnerships and partnership associations doing business in this Commonwealth except building and loan associations also for the escheat of certain moneys property and estates held by persons partnerships associations or corporations in any fiduciary capacity whatsoever and the profits accretions and interest on such moneys property and estates as well as the interest thereon accrued between the date of the decree of any court ordering the distribution of such moneys property and estates and the actual distribution thereof also for the escheat of certain moneys paid into or deposited in any court of this Commonwealth or in any Federal court in and for any district within the Commonwealth or in the custody of any officer of such court and for the escheat of certain other moneys property and estates held in any manner by any person association or body corporate for the benefit of another" by exempting unclaimed funds and proceeds due and payable under life and endowment insurance policies and held and owing by life insurance companies doing business in this Commonwealth.

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

**Section 1** Section eleven of the act approved the seventh day of June 1915 (P. L. 878) entitled as amended "An act providing for the escheat of certain property received for storage or safe-keeping or otherwise and of certain deposits of money also for the escheat of certain dividends profits debts and interest on debts of corporations companies banks national banks trust companies insurance companies limited partnerships and partnership associations doing business in this Commonwealth except building and loan associations also for the escheat of certain moneys property and estates held by persons

partnerships associations or corporations in any fiduciary capacity whatsoever and the profits accretions and interest on such moneys property and estates as well as the interest thereon accrued between the date of the decree of any court ordering the distribution of such moneys property and estates and the actual distribution thereof also for the escheat of certain moneys paid into or deposited in any court of this Commonwealth or in any Federal court in and for any district within the Commonwealth or in the custody of any officer of such court and for the escheat of certain other moneys property and estates held in any manner by any person association or body corporate for the benefit of another" as last amended by the act approved the twenty-first day of April 1921 (P. L. 223) is hereby further amended to read as follows

Section 11 The word "debtor" in this act shall include persons copartnerships associations banks national banks trust companies and other corporations who or which have received deposits of money declared dividends or profits or owed debts or interest on debts and trustees guardians committees executors administrators assignees receivers or other persons or corporations who have received and hold moneys in any fiduciary capacity whatsoever or continue to hold the same or any portion or increment thereof after the termination of the fiduciary relation and shall also include officers of courts holding funds escheatable under the provisions of this act

The word "creditor" in this act shall include persons as hereinafter defined who have made deposits of money persons to whom dividends or profit have been declared persons to whom debts and interest on debts are to have been owed or to whom property in storage or safe-keeping belongs and cestuis que trustent and beneficial owners of any property money or estate or of the profits accretions and interest thereon as hereinafter in this section defined held by any debtor as above described

The word "person" in this act shall include every person persons copartnership and unincorporated association and every company corporation bank national bank safe-deposit company trust company insurance company other than a life insurance company doing business in this Commonwealth joint-stock company or association limited partnership and partnership association doing business within this Commonwealth

The words "property" "moneys" "estate" or "estates" in this act shall include the profits accretions and interest thereon as well as interest thereon accrued or which should have accrued between the fixing of the amount of such property money or estate by the award of any court and the actual distribution thereof or at any other time and the owner of such property money or estate shall be deemed entitled to demand such profits accretions and interest for the purposes of this act notwithstanding such award and notwithstanding any settlement with or release by him

The provisions of this act shall not apply to the unclaimed funds and proceeds due and payable under life and endowment insurance policies and held and owing by life insurance companies doing business in this Commonwealth

Section 2 This act shall take effect January 1 1950 which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

**SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 762**

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 762.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

**YEAS—50**

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Roblnson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

**NAYS—0**

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

**BILL ON CONCURRENCE IN HOUSE AMENDMENTS**

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 881, as follows:

An Act to facilitate vehicular traffic in the Western section of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near the City of Erie in Erie County to connect with the Pennsylvania Turnpike or the Western extension thereof at such point as the Pennsylvania Turnpike Commission may decide is the most feasible and practicable for the further extension of the Pennsylvania Turnpike system and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike providing that no debt of the Commonwealth shall be insured in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes and relocations and restoration of public roads and State highways affected by the turnpike providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds

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

Section 1 This act shall be known and may be cited as the "Pennsylvania Turnpike Erie Extension Act"

Section 2 In order to facilitate vehicular traffic in the western section of the Commonwealth the Pennsylvania Turnpike Commission heretofore created by virtue of the provisions of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 774) is hereby authorized and empowered to construct operate and maintain a turnpike at such location as shall be approved by the Governor and the Department of Highways from a point at or near the City of Erie in Erie County thence in a general southerly direction to connect with the Pennsylvania Turnpike or the western extension thereof at such point as the Pennsylvania Turnpike Commission may decide is the most feasible and

practicable for the further extension of the Pennsylvania Turnpike system together with connecting roads tunnels and bridges and to issue turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the costs of such construction

Section 3 The turnpike revenue bonds issued under the provisions of this act shall not be deemed to be a debt of the Commonwealth or a pledge of the faith and credit of the Commonwealth but such bonds shall be payable exclusively from the fund herein provided therefor from tolls All such bonds shall contain a statement on their face that the Commonwealth is not obligated to pay the same or the interest thereon except from tolls and that the faith and credit of the Commonwealth is not pledged to the payment of the principal or interest of such bonds The issuance of turnpike revenue bonds under the provisions of this act shall not directly or indirectly or contingently obligate the Commonwealth to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment

Section 4 The following words and terms shall have the following meanings

(a) The word "commission" shall mean the Pennsylvania Turnpike Commission heretofore created by the act approved the twenty-first day of May one thousand nine hundred and thirty-seven (P. L. 774) or if said commission shall be abolished any board commission or officer succeeding to the principal functions thereof or upon whom the powers and functions given by this act to said commission shall be given by law

(b) The word "owner" shall include all individuals co-partnerships associations or corporations having any title or interest in any property rights easements or franchises authorized to be acquired by this act

(c) The words "the turnpike" shall mean the turnpike to be constructed as hereinafter provided from a point at or near the City of Erie in Erie County thence in a general southerly direction to connect with the Pennsylvania Turnpike or the western extension thereof at such point as the Commission may decide is the most feasible and practicable for the further extension of the Pennsylvania Turnpike system and shall be deemed to include not only the turnpike and all connecting roads tunnels and bridges connected therewith but also all property rights easements and franchises relating thereto and deemed necessary or convenient for the construction or the operation thereof

(d) The term "cost of the turnpike" shall embrace the cost of constructing the turnpike and all connecting roads tunnels and bridges the cost of all lands property rights rights of way easements and franchises acquired which are deemed necessary or convenient for such construction the cost of all machinery and equipment financing charges interest prior to and during construction and for one year after completion of construction cost of traffic estimates and of engineering and legal expenses plans specifications surveys estimates of cost and of revenues other expenses necessary or incident to determining the feasibility or practicability of the enterprise administrative and legal expense and such other expenses as may be necessary or incident to the financing herein authorized the construction of the turnpike and connecting roads tunnels and bridges the placing of the same in operation and the condemnation of property necessary for such construction and operation Any obligation or expense contracted for by the commission with the Department of Highways of the Commonwealth of Pennsylvania or with the United States or any agency thereof for traffic surveys preparation of plans and specifications supervision of construction and other engineering administrative and legal services and expenses in connection with the construction of the turnpike or any of the connecting roads tunnels and bridges shall be regarded as a part of the cost of the turnpike and shall be reimbursed or paid out of the proceeds of the turnpike revenue bonds hereinafter authorized

Section 5 The exercise by the commission of the powers conferred by this act in the construction operation and

maintenance of the turnpike shall be deemed and held to be an essential governmental function of the Commonwealth

Section 6 The commission shall have the following powers and duties

(a) It shall maintain a principal office at such place as shall be designated by the commission

(b) The commission may contract and be contracted with in its own name

(c) The commission may sue and be sued in its own name plead and be impleaded Provided however That any and all actions at law or in equity against the commission shall be brought only in the proper courts at the county of Dauphin

(d) The commission shall have an official seal

(e) The commission shall make necessary rules and regulations for its own government and shall have power and authority to acquire own use hire lease operate and dispose of personal property real property and interests in real property and to make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act and to employ engineering traffic architectural and construction experts and inspectors and attorneys and such other employees as may in its judgment be necessary and fix their compensation Provided however That all contracts and agreements relating to the construction of the turnpike and connecting roads tunnels and bridges shall be approved by the Department of Highways and the turnpike and connecting roads tunnels and bridges shall be constructed under the supervision of the Department of Highways

(f) The turnpike when completed and opened to traffic shall be maintained and repaired by and under the control of the commission through the Department of Highways of the Commonwealth and all charges and costs for such maintenance and repairs actually expended by said Department of Highways shall be paid to it by the commission upon certification thereof out of tolls Such turnpike shall also be policed and operated by such force of police tolltakers and other operating employees as the commission may in its discretion employ

(g) The commission shall have authority at its own cost to provide grade separations with respect to all public roads and State highways intersected by the turnpike and to change and adjust the lines and grades thereof so as to accommodate the same to the design of such grade separation Provided however That the damages incurred in changing and adjusting the lines and grades of such public roads and State highways shall be ascertained and paid by the commission in the same manner as is provided for by this act in regard to the location and construction of the turnpike The plan of such changes of the lines and grades of public roads shall be subject to the approval of the supervisors of the proper township and in the case of State highways subject to the approval of the Department of Highways

(h) If the commission shall find it necessary to change the site of any portion of any State highway or public road it shall cause the same to be reconstructed and retored forthwith at the commission's own proper expense on the most favorable location and in as satisfactory a manner as the original road Provided That the damages incurred in changing the location of any such road or State highway shall be ascertained and paid by the commission in the same manner as is provided for by this act in regard to the location and construction of the turnpike The plan of such reconstruction and restoration shall be subject to the approval of the supervisors of the proper township and in the case of a State highway subject to the approval of the Department of Highways

(i) The commission shall have authority to petition the court of quarter sessions of the county wherein it situate any public road or part thereof affected by the location therein of the turnpike for the vacation relocation or supply of the same or any part thereof with the same force and effect as is now given by existing laws to the inhabitants of any township of such county and the pro-

ceedings upon such petition whether it be for the appointment of viewers or otherwise shall be the same as provided by existing law for similar proceedings upon such petitions

(j) The commission shall otherwise have all of the powers and perform all of the duties prescribed by the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 774)

(k) All public or private property damaged or destroyed in carrying out the powers granted by this act shall be restored or repaired and placed in their original condition as nearly as practicable or adequate compensation made therefor out of the funds provided under the authority of this act

Section 7 (a) Each member of the commission shall be reimbursed for the necessary expenses incurred in the performance of the duties performed under the provisions of this act

(b) All expenses incurred in carrying out the provisions of this act shall be paid solely from funds provided under the authority of this act and no liability or obligation shall be incurred hereunder beyond the extent to which money shall have been provided under the authority of this act

(c) Before the issuance of any turnpike revenue bonds under the provisions of this act each appointed member of the commission shall execute a bond in the penalty of twenty-five thousand dollars (\$25,000) and the secretary and treasurer shall execute a bond in the penalty of fifty thousand dollars (\$50,000) each such bond to be approved by the Governor and to be conditioned upon the faithful performance of the duties of his office under the provisions of this act which bonds shall be filed in the office of the Secretary of the Commonwealth

Section 8 The commission with the approval of the Department of Highways is hereby authorized and empowered to acquire by purchase whenever it shall deem such purchase expedient any lands property rights rights of way franchises easements and other interests in lands as it may deem necessary or convenient for the construction and operation of the turnpike upon such terms and at such price as may be considered by it to be reasonable and can be agreed upon between the commission and the owner thereof and to take title thereto in the name of the commission

Section 9 Whenever a reasonable price cannot be agreed upon or whenever the owner is legally incapacitated or is absent or is unable to convey valid title or is unknown the commission is hereby authorized and empowered to acquire by condemnation in the manner hereinafter provided any lands property rights rights of way franchises easements and other property deemed necessary or convenient for the construction or the efficient operation of the turnpike or necessary in the restoration of public or private property damaged or destroyed In such event application shall be made by the commission acting through the Department of Justice or by any owner or owners to the court of common pleas of the county in which the property is located or in the case of property on the boundary lines between two or more counties then in any such counties for the appointment of viewers Whereupon said court or any law judge thereof shall appoint three disinterested freeholders to view such property and estimate the value thereof None of the freeholders shall be a resident of the county wherein such application shall be made The court shall fix a time not less than twenty nor more than thirty days thereafter when the viewers shall meet upon the property and view the same The viewers shall cause at least ten days' personal notice of the time and place of such meeting to be given to the Attorney General to the commission and to the owner or owners if resident within said county If the owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county If neither owner nor any of such officers reside within the county or cannot be found therein or is unknown notice of such first meeting shall be given as the court may direct The viewers having been

duly sworn or affirmed faithfully and impartially to perform the duties required of them under the provisions of this act shall at the time fixed for the first meeting proceed to ascertain as accurately as may be the value of such land property rights rights of way easements or franchises and to that end may require the attendance of any person whose testimony may be pertinent thereto and production of any such books or papers as the viewers may deem necessary If any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when they are required then the court or any judge thereof shall on application of the viewers or a quorum thereof make such order therein as may be necessary Whenever the viewers shall have ascertained the value of the lands property rights rights of way easements or franchises they shall prepare a full report of their labors Upon the completion of the report the viewers shall fix a time when they shall meet and exhibit same Ten days written notice of the time and place of such meeting together with a copy of said report shall be given to the commission to the Attorney General and to the owner or owners of the property condemned At the time and place mentioned in such notice the viewers shall meet and publicly exhibit the report and hear all exceptions thereto After making any changes in such report as they may deem necessary the same shall be filed in the court Within thirty days after the filing of the report in the court the commission acting through the Department of Justice or any person interested may file exceptions thereto Whereupon the court shall either confirm the report absolutely or modify it or refer it back to the same or to any viewers with like powers and duties of the former viewers Within thirty days after the final action on the report by the court the commission acting through the Department of Justice or any person interested may demand a trial by jury from the action of the court on exceptions or from any judgment after a jury trial an appeal may be taken by any party to the Supreme or Superior Court Each of the viewers shall receive a sum not exceeding ten dollars (\$10) for each day actually and necessarily employed in the performance of the duties herein prescribed and all necessary expenses actually incurred in the performance of his duties Title to any property condemned by the commission shall be taken in the name of the commission Prior to physical entry upon the land the commission shall be under no obligation to accept and pay for any property condemned or any costs incidental to any condemnation proceedings Provided however That in any condemnation proceedings the court having jurisdiction of the suit action or proceeding may make such orders as may be just to the commission and to the owners of the property to be condemned and may require an undertaking or other security to secure such owners against any loss or damage by reason of the failure of the Commission to enter upon accept and pay for the property but neither such undertaking or security nor any act or obligation of the commission shall impose any liability upon the Commonwealth except such as may be paid from the funds provided under the authority of this act

In addition to the foregoing powers the commission and its authorized agents and employees may enter upon any lands waters and premises in the State for the purpose of making surveys soundings drillings and examinations as it may deem necessary or convenient for the purpose of this act and such entry shall not be deemed a trespass nor shall an entry for such purposes be deemed an entry under any condemnation proceedings which may be then pending Provided however That the commission shall make reimbursement for any actual damages resulting to such lands waters and premises as a result of such activities

All counties cities boroughs townships and other political subdivisions and municipalities and all public agencies and commissions of the Commonwealth of Pennsylvania notwithstanding any contrary provision of law are hereby authorized and empowered to lease lend grant

or convey to the commission upon its request upon such terms and conditions as the proper authorities of such counties cities boroughs townships other political subdivisions and municipalities or public agencies and commissions of the Commonwealth of Pennsylvania may deem reasonable and fair and without the necessity for any advertisement order of court or other action or formality other than the regular and formal action of the authorities concerned any real property which may be necessary or convenient to the effectuation of the authorized purposes of the commission including public roads and other real property already devoted to public use

Section 10 Whenever the commission decides to acquire any lands rights of way easement and franchises or interests therein by condemnation as hereinbefore provided and has tendered a bond or other security to secure the owner or owners for damages and the same has been accepted or if the acceptance of said bond has been refused and the same has been filed in and approved by the court in which such condemnation proceeding is instituted the commission shall have the right to immediate possession of the property which is the subject matter of the condemnation proceedings and may enter thereon in the name of the commission If the owner lessee or occupier of any of said premises shall refuse to remove his personal property therefrom or give up possession thereof the commission may proceed to obtain possession in the manner now provided by law for the obtaining possession by the Secretary of Highways of occupied structures

Section 11 The commission is hereby authorized to provide by resolution at one time or from time to time for the issuance of turnpike revenue bonds of the Commonwealth for the purpose of paying the cost as hereinabove defined of the turnpike which resolution shall recite an estimate of such cost The principal and interest of such bonds shall be payable solely from the special fund herein provided for such payment The bonds shall be dated shall bear interest at such rate or rates not exceeding six per centum per annum payable semiannually shall mature at such time or times not exceeding forty years from their date or dates as may be determined by the commission and may be made redeemable before maturity at the option of the commission at such price or prices and under such terms and conditions as may be fixed by the commission prior to the issuance of the bonds Provided however That the amount of premium on any bonds shall not cause the yield to be more than six per centum per annum from the date of such bonds to the date of their redemption The bonds may be issued in series with varying provisions as to rates of interest maturity and other provisions not inconsistent with this act but all bonds of whatever series shall share ratably in the tolls hereinafter pledged as security therefor The principal and interest of such bonds may be made payable in any lawful medium The commission shall determine the form of bonds including any interest coupons to be attached thereto and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest thereof which may be at any bank or trust company within or without the Commonwealth The bonds shall bear the facsimile signatures of the Governor and of the Chairman of the commission and the facsimile of the official seal of the commission shall be affixed thereto attested by the secretary and treasurer of the commission and any coupons attached thereto shall bear the facsimile signature of the chairman of the commission In case any officer whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds such signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery All turnpike revenue bonds issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the Commonwealth The bonds may be issued in coupon or in registered form or both as

the commission may determine and provision may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest and registered and coupon bonds shall be interchangeable The commission may sell such bonds in such manner and for such price as it may determine to be for the best interest of the Commonwealth but no such sale shall be made at a price so low as to require the payment of interest on the money received therefor at more than six per centum per annum computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values. The proceeds of such bonds shall be used solely for the payment of the cost of the turnpike and shall be disbursed upon requisition of the chairman of the commission under such restrictions if any as the resolution authorizing the issuance of the bonds or the trust indenture hereinafter mentioned may provide If the proceeds of such bonds by error of calculation or otherwise shall be less than the cost of the turnpike additional bonds may in like manner be issued to provide the amount of such deficit and unless otherwise provided in the resolution authorizing the issuance of the bonds or in the trust indenture shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued If the proceeds of the bonds shall exceed the cost of the turnpike the surplus shall be paid into the fund hereinafter provided for the payment of principal and interest of such bonds Prior to the preparation of definitive bonds the commission may under like restrictions issue temporary bonds with or without coupons exchangeable for definitive bonds upon the issuance of the latter The commission may also provide for the replacement of any bond which shall become mutilated or be destroyed or lost Such turnpike revenue bonds may be issued without any other proceedings or the happening of any other conditions or things than those proceedings conditions and things which are specified and required by this act

Such bonds are hereby made securities in which all state and municipal officers and administrative departments boards and commissions of the Commonwealth all banks bankers savings banks trust companies saving and loan associations investment companies and other persons carrying on a banking business all insurance companies insurance associations and other persons carrying on an insurance business and all administrators executors guardians trustees and other fiduciaries and all other persons whatsoever who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth may properly and legally invest any funds including capital belonging to them or within their control and said bonds or other securities or obligations are hereby made securities which may properly and legally be deposited with and received by any state or municipal officers or agency of the Commonwealth for any purpose for which the deposit of bonds or other obligations of the Commonwealth is now or may hereafter be authorized by law

Section 12 All moneys received from any bonds issued pursuant to this act shall be applied solely to the payment of the cost of the turnpike or to the appurtenant fund and there shall be and hereby is created and granted a lien upon such moneys until so applied in favor of holders of such bonds or the trustee hereinafter provided for in respect of such bonds

Section 13 In the discretion of the commission such bonds may be secured by a trust indenture by and between the commission and a corporate trustee which may be any trust company or bank having the powers of a trust company within or outside of the Commonwealth Such trust indenture may pledge or assign tolls and revenue to be received but shall not convey or mortgage the turnpike or any part thereof Either the resolution providing for the issuance of such bonds or such trust indenture may contain such provision for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law

including covenants setting forth the duties of the commission in relation to the acquisition of properties and construction maintenance operation and repair and insurance of the turnpike and the custody safeguarding and application of all moneys. It shall be lawful for any bank or trust company incorporated under the laws of this Commonwealth to act as depository of the proceeds of the bonds or revenues and to furnish such indemnity bonds or to pledge such securities as may be required by the commission. Such indenture may set forth the rights and remedies of the bondholders and of the trustee and may restrict the individual right of action of bondholders as is customary in trust indentures securing bonds and debentures of corporations. In addition to the foregoing such trust indenture may contain such other provisions as the commission may deem reasonable and proper for the security of bondholders. All expenses incurred in carrying out such trust indenture may be treated as a part of the cost of maintenance operation and repair of the turnpike.

Section 14 The accomplishment by the commission of the authorized purposes stated in this act being for the benefit of the people of the Commonwealth and for the improvement of their commerce and prosperity in which accomplishment the commission will be performing essential governmental functions the commission shall not be required to pay any taxes or assessments on any property acquired or used by it for the purposes provided in this act and the bonds or other securities and obligations issued by the commission their transfer and the income therefrom including any profits made on the sale thereof shall at all times be free from taxation within the Commonwealth.

Section 15 The commission is hereby authorized to fix and to revise from time to time tolls for the use of the turnpike and the different parts or sections thereof and to charge and collect the same and to contract with any person partnership association or corporation desiring the use of any part thereof including the right of way adjoining the paved portion for placing thereon telephone telegraph electric light or power lines gas stations garages stores hotels restaurants and advertising signs or for any other purpose except for tracks for railroad or railway use and to fix the terms conditions rents and rates of charges for such use. Such tolls shall be so fixed and adjusted as to provide a fund at least sufficient with other revenues of the turnpike if any to pay (a) the cost of maintaining repairing and operating the turnpike and (b) the bonds and the interest thereon and all sinking fund requirements and other requirements provided by the resolution authorizing the issuance of the bonds or by the trust indenture as the same shall become due. Such tolls shall not be subject to supervision or regulation by any other state commission board bureau or agency. The tolls and all other revenues derived from the turnpike except such part thereof as may be required to pay the cost of maintaining repairing and operating the turnpike and to provide such reserves therefor as may be provided for in the resolution authorizing the issuance of the bonds or in the trust indenture shall be set aside at such regular intervals as may be provided in such resolution or such trust indenture in a sinking fund which is hereby pledged to and charged with the payment of (1) the interest upon such bonds as such interest shall fall due (2) the principal of the bonds as the same shall fall due (3) the necessary fiscal agency charges for paying principal and interest and (4) any premium upon bonds retired by call or purchase as herein provided. The use and disposition of such sinking fund shall be subject to such regulations as may be provided in the resolution authorizing the issuance of bonds or in the trust indenture but except as may otherwise be provided in such resolution or trust indenture such sinking fund shall be a fund for the benefit of all bonds issued hereunder without distinction or priority of one over another. Subject to the provisions of the resolutions authorizing the issuance of bonds or of the trust indenture any moneys in such sinking fund in excess of an amount equal to one year's

interest on all bonds then outstanding may be applied to the purchase or redemption of bonds. All bonds so purchased or redeemed shall forthwith be cancelled and shall not again be issued.

Section 16 The commission is hereby authorized to provide by resolution for the issuance of turnpike revenue refunding bonds of the Commonwealth for the purpose of refunding any turnpike revenue bonds issued under the provisions of this act and then outstanding. The issuance of such turnpike revenue refunding bonds the maturities and other details thereof the rights of the holders thereof and the duties of the Commonwealth and of the commission in respect to the same shall be governed by the foregoing provisions of this act in so far as the same may be applicable and by the following provisions:

(a) No turnpike revenue refunding bonds shall be delivered unless delivered in exchange for turnpike revenue bonds to be refunded thereby except in the amount necessary to provide for the payment of matured or redeemable turnpike revenue bonds or turnpike revenue bonds maturing or redeemable within three months including any redemption premium thereon.

(b) No turnpike revenue refunding bonds shall be issued unless issued to refund turnpike revenue bonds which have matured or will mature within three months or unless the interest rate of the turnpike revenue refunding bonds shall be at least one-fourth of one per centum less than the interest rate borne by the turnpike revenue bonds to be refunded.

Section 17 Any holder of bonds issued under the provisions of this act or any of the coupons attached thereto and the trustees under the trust indenture if any except to the extent the rights herein given may be restricted by resolution passed before the issuance of the bonds or by the trust indenture may either at law or in equity by suit action mandamus or other proceedings protect and enforce any and all rights granted hereunder or under such resolution or trust indenture and may enforce and compel performance of all duties required by this act or by such resolution or trust indenture to be performed by the commission or any officer thereof including the fixing charging and collecting of tolls for the use of the turnpike.

Section 18 When all bonds and the interest thereon shall have been paid or a sufficient amount for the payment of all bonds and the interest to maturity thereon shall have been set aside in trust for the benefit of the bondholders and shall continue to be held for that purpose the turnpike and the connecting roads tunnels and bridges shall become a part of the system of state highways and shall be maintained by the Department of Highways free of tolls and thereupon the commission shall be dissolved and all funds of the commission not required for the payment of the bonds and all machinery equipment and other property belonging to the commission shall be vested in the Department of Highways.

Section 19 The foregoing sections of this act shall be deemed to provide an additional and alternative method for the doing of the things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws and shall not be regarded as in derogation of any powers now existing. Such sections being necessary for the welfare of the Commonwealth and its inhabitants shall be liberally construed to effect the purposes thereof.

Section 20 All acts and parts of acts inconsistent with this act are hereby repealed.

Section 21 This act shall become effective immediately upon its final enactment.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?



SENATE CONCURS IN AMENDMENTS MADE BY  
THE HOUSE TO SENATE BILL No. 881

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 881.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Nef,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. W.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 901, as follows:

An Act accepting the grants requirements and benefits of an act of the eighty-first Congress of the United States approved one thousand nine hundred forty-nine known as the Educational Finance Act of 1940 bearing public act No. 1049 entitled "To authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools and in reducing the inequalities of educational opportunities through public elementary and secondary schools for the general welfare and for other purposes"

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

Section 1 The Commonwealth of Pennsylvania hereby accepts the provisions of the act of Congress approved one thousand nine hundred forty-nine entitled "To authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools and in reducing the inequalities of educational opportunities through public elementary and secondary schools for the general welfare and for other purposes" and cited as the "Educational Finance Act of 1949"

The Commonwealth of Pennsylvania formally accepts the provisions of said act of Congress with respect to the qualifications for the receipt of funds appropriated thereunder as herein provided

Section 2 The State Treasurer is hereby designated as the custodian of the Federal funds apportioned to the Commonwealth of Pennsylvania and shall receive money paid to the State from the United States Treasury under the provisions of said act of Congress and shall pay out the same upon the warrant of the Auditor General when the same is certified by the Superintendent of Public In-

struction and further the State Treasurer shall submit to the Superintendent of Public Instruction and to the United States Commissioner of Education on or before the first day of November of each year for transmission to the Congress a detailed statement of the amount so received for the preceding fiscal year and of its disbursement

Section 3 The State Superintendent of Public Instruction is hereby designated the "State Educational Authority" to carry out the provisions of said act so far as the same relates to the cooperation of the State and Federal governments and shall represent the State in the administration of funds received and shall have full power to take all necessary steps in the formulation of plans for the effective administration of said funds and further shall

(1) Provide for an annual audit and for the submission of a copy thereof to the United States Commissioner of Education of the expenditure of funds received under said act and for a system of reports from local public-school jurisdictions and other State public-education agencies to the Superintendent of Public Instruction

(2) Make such reports in such form and containing such information concerning the administration of said act as the Commissioner may reasonably require and give him upon request access to the records on which such reports are based

(3) Formulate and effectuate for each fiscal year beginning after June 30 1953 a plan for the apportionment of amounts paid to the State from funds appropriated pursuant to section three of said act for such fiscal year under which there will be available from all sources to each local public-school jurisdiction or other State public-education agency for current expenditures for public elementary-school and public secondary-school education an amount per pupil in average daily attendance at public elementary and secondary schools within such local public-school jurisdiction or under the jurisdiction of such State public-education agency not less than Fifty-five (\$55) dollars or in any fiscal year for which the amount to be paid to the State is less by reason of the provision of paragraph (f) of section four of said act than the amount of the Federal allotment to the State an amount which bears the same ratio to fifty-five (\$55) dollars as ninety-seven (97%) per centum of the funds appropriated for such fiscal year pursuant to section three of said act bears to the sum of all Federal allotments under section four of said act

(4) Provide for the administration of funds to be received by performing any and all acts deemed necessary to administer properly said funds.

Section 4 The Superintendent of Public Instruction is hereby granted power and authority to promulgate and to issue such rules and regulations as he shall deem necessary in order to administer effectively the funds received under said act of Congress the provisions of said act of Congress and the provisions of this act

Section 5 The Superintendent of Public Instruction shall transmit to the United States Commissioner of Education certified copies of this act and the regulations that may be issued by the Superintendent of Public Instruction in connection with such funds Any amendment of this act and revision of regulations shall in like manner be transmitted to said Commissioner

Section 6 The provisions of this act shall become effective one day after the final enactment of the Federal Act known as the Educational Finance Act of 1949

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 901

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 901.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelr,	Wade,
Chapman,	Homshe,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Dihm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doshla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	MaHery,	Tallman,	Yosko,
Frazier	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 291, as follows:

An Act to regulate deliveries of light fuel oil to domestic consumers conferring powers and imposing duties on the Department of Internal Affairs and the inspectors of weights and measures of the several counties and cities and prescribing penalties

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

Section 1 Definitions The word "department" as used in this act shall mean the Department of Internal Affairs

The words "domestic consumers" as used in this act shall mean those in residences apartment houses stores churches office buildings and similar edifices as distinguished from industrial plants

The words "light fuel oils" as used in this act shall mean kerosene number one fuel oil number two fuel oil number three fuel oil and any similar oil used for domestic heating as distinguished from heavy industrial oils

The word "person" as used in this act shall be construed to include any individual partnership unincorporated association corporation association agent firm representative or employe thereof

Section 2 Meter Required No person shall deliver light fuel oils to any domestic consumer unless the vehicle by which such light fuel oils are delivered is equipped with a meter of a type approved under provisions of the act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 389) as amended entitled "An act to regulate and control the manufacture sale offering for sale giving away and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devices by the Bureau of Standards and prescribing penalties" All deliveries of light fuel oil to such consumers shall be made by the use of such a meter

Section 3 Small Deliveries Fuel oil deliveries of fifty

gallons or less may be delivered without being metered Provided That such delivery be made in standard measures of not less than five gallons capacity And provided further That only such measures as approved by provisions of the aforesaid act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 389) as amended be used

Section 4 Exceptions The provisions of this act shall not apply to deliveries of heavy fuel oils nor to deliveries of light fuel oils to industrial plants nor where either the entire truck tank load of light fuel oil or the entire load of light fuel oil in one compartment of the truck tank is delivered to a single domestic consumer provided such tank truck is of a type approved under provisions of the aforesaid act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 389) as amended

Section 5 Enforcement of Act Rules and Regulations It shall be the duty of the department and the inspectors of weights and measures

The Secretary of Internal Affairs shall have power to adopt and of the several counties and cities to enforce the provisions of this act promulgate such rules and regulations not inconsistent with the provisions of this act as may be deemed necessary to carry into effect the intent and purpose of this act

Section 6 Penalties Any person violating any of the provisions of this act shall upon summary conviction before a magistrate be sentenced for the first offense to pay a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for ten (10) days and for the second offense be sentenced to pay a fine of not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for twenty (20) days and for the third offense shall be sentenced to pay a fine of not less than one hundred dollars (\$100.00) nor more than two hundred dollars (\$200.00) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for thirty (30) days

Any person violating any of the provisions of this act for a fourth or subsequent offense shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars (\$100.00) nor more than three hundred dollars (\$300.00) or suffer imprisonment for not more than sixty (60) days or both

Section 7 Effective Date The provisions of this act shall become effective the first day of September one thousand nine hundred fifty

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 291, RECALLED FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to House Bill No. 291, recalled from the Governor.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelr,	Wade,
Chapman,	Homshe,	Robinson,	Wagner,

Crowe, Dent, Diehm, DiSilvestro, Doehla, Donlan, Farrell, Frazier.	Kephart, Lane, Leader, Letzler, Lord, Mahany, Mallery, McPherson, Jr.,	Rosenfeld, Ruth, Scarlett, Snowden, Stevenson, Stiefel, Tallman,	Walker, Watkins, Watson, Wolfe, Wood, L. H., Wood, T. N., Yosko.
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NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,  
The Senate resumed the consideration of House Bill No. 625, as follows:

An Act to further amend subsection (c) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the total maximum length of certain vehicles

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

Section 1 Subsection (c) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-

nine (P. L. 1135) is hereby further amended to read as follows

Section 902 Size of Vehicles and Loads

\* \* \* \* \*

(c) No vehicle except [motor] buses and fire department equipment shall exceed a total maximum length including any load thereon of three hundred ninety-six (396) inches and no combination of two (2) vehicles inclusive of load and bumpers coupled together shall exceed a total maximum length of six hundred (600) inches excepting that [until but not after January first one thousand nine hundred forty-one any combination of two vehicles properly registered in this Commonwealth on the effective date of this act may be of a total maximum length not exceeding seventy (70) feet excepting further that] nothing in this subsection shall prohibit the transportation by a combination of vehicles of articles impossible of dismemberment which do not exceed seventy (70) feet [Motor] buses shall not exceed a length of four hundred twenty (420) inches except buses with toilet facilities which shall not exceed a length of four hundred eighty (480) inches provided that a bus in excess of thirty-five (35) feet in over-all length shall not have less than three (3) axles

1 No motor vehicle shall be operated upon a highway drawing or having attached thereto more than one other vehicle

2 The distance between any two vehicles one of which is towing or drawing the other shall not exceed fifteen (15) feet from one vehicle to the other except when the load on the towed vehicle is coupled directly to and is not more than five (5) feet from the towing vehicle Whenever the connection consists of a chain rope bar or cable there shall be displayed upon such connection a flag not less than twelve (12) inches in length and width Every trailer while being drawn upon the highway shall be so attached to the vehicle drawing the same as to prevent the wheels of such trailer from deflecting more than six (6) inches from the path of the drawing vehicle's wheels

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 625, RECALLED FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 625, recalled from the Governor.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr, Barrett, Berger, Blass, Chapman, Crowe, Dent, Diehm, DiSilvestro, Doehla, Donlan, Farrell, Frazier,	Geitz, Haluska, Hare, Holland, Homsher, Kephart, Lane, Leader, Letzler, Lord, Mahany, Mallery, McPherson, Jr.,	Meade, Neff, Pechan, Peelor, Robinson, Rosenfeld, Ruth, Scarlett, Snowden, Stevenson, Stiefel, Tallman,	Tarr, Taylor, Toole, Wade, Wagner, Walker, Watkins, Watson, Wolfe, Wood, L. H., Wood, T. N., Yosko,
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NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

**BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR**

Agreeably to order,

The Senate resumed the consideration of House Bill No. 835, as follows:

An Act limiting for forfeiture confiscation seizure condemnation or taking of certain motor vehicles used in violation of law

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

Section 1 A motor vehicle the unlawful use of which may be the subject of confiscation or condemnation under any law of this Commonwealth may be forfeited to or seized taken confiscated or condemned by the Commonwealth or its agencies or political subdivisions only when the registered owner thereof unlawfully uses or has knowledge of the unlawful use of such motor vehicle prior to such use The burden of proof in any action taken by the Commonwealth or its agencies or political subdivisions to confiscate or condemn any motor vehicle shall be placed upon the registered owner to show that he had no actual or constructive knowledge that the motor vehicle was being used in the commission of a crime

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed in so far as inconsistent with this act

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

**SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 835, RECALLED FROM THE GOVERNOR**

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 835, recalled from the Governor.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

**YEAS—50**

- |              |                 |            |              |
|--------------|-----------------|------------|--------------|
| Barr.        | Geltz.          | Meade.     | Tarr.        |
| Barrett,     | Haluska,        | Neff,      | Taylor,      |
| Berger,      | Hare,           | Pechan,    | Toole,       |
| Blass,       | Holland,        | Peelor,    | Wagner,      |
| Chapman,     | Homsher,        | Robinson,  | Wade,        |
| Crowe,       | Kephart,        | Rosenfeld, | Walker,      |
| Dent,        | Lane,           | Ruth,      | Watkins,     |
| Diehm,       | Leader,         | Scarlett,  | Watson,      |
| DiSilvestro, | Letzler,        | Stowden,   | Wolfe,       |
| Doehla,      | Lord,           | Stevenson, | Wood, L. H., |
| Donlan,      | Mahany,         | Stiefel,   | Wood, T. N., |
| Farrell,     | Mallery,        | Tallman,   | Yosko,       |
| Frazier,     | McPherson, Jr., |            |              |

**NAYS—0**

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

**BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR**

Agreeably to order,

The Senate resumed the consideration of House Bill No. 991, as follows:

An Act to further amend the act approved the eighth day of June one thousand nine hundred eleven (P. L. 712) entitled "An act relating to milk providing for the protection of the public health and the prevention of fraud and deception by regulating the sale of milk skimmed milk and cream providing penalties for the violation thereof and providing for the enforcement thereof" by defining skim milk and providing for methods of standardization of milk

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

Section 1 Sections one and two of the act approved the eighth day of June one thousand nine hundred eleven (P. L. 712) entitled "An act relating to milk providing for the protection of the public health and the prevention of fraud and deception by regulating the sale of milk skimmed milk and cream providing penalties for the violation thereof and providing for the enforcement thereof" are hereby amended to read as follow

Section 1 [Be it enacted &c That it] It shall be unlawful for any person firm or corporate body by himself herself itself or themselves or by his her its or their agents servants or employes to sell offer for sale expose for sale or have in possession with intent to sell milk which contains any added water or milk which has had the [butter-fat] butterfat or any portion thereof removed therefrom or milk to which has been added any substance for the purpose of increasing its consistency or thickness or milk which contains less than three and one-quarter (3¼) per centum of [butter-fat] butterfat and less than twelve (12) per centum of milk solids Provided however That skimmed milk when clean and wholesome or not more than one-half (½) of one (1) per centum of butterfat may be sold if sold as skimmed milk [.] and Provided further That milk may be standardized by partial skimming or by the addition of skimmed milk or by the addition of cream or milk rich in fat but in no event shall such resultant standardized milk contain less than three and one-fourth (3¼) per centum of butterfat and twelve (12) per centum total solids or more than five (5) per centum of butterfat

Section 2 [That it] It shall be unlawful for any person firm or corporate body by himself herself itself or themselves or by his her its or their agents servants or employes to sell offer for sale expose for sale or have in possession with intent to sell cream which contains or is mixed with any added condensed or evaporated milk or cream or cream to which has been added any substance for the purpose of increasing its consistency or thickness or cream which contains less than eighteen (18) per centum of [butter-fat] butterfat Provided That cream when it contains or is mixed with any added condensed or evaporated milk or cream may be sold if the vessel or container in which such cream is sold is plainly labeled stating the fact that such cream contains or is mixed with added condensed or evaporated milk or cream and the amount thereof

Section 2 Sections four five and six of said act approved the eighth day of June one thousand nine hundred eleven (P. L. 712) are hereby amended to read as follows

Section 4 [That the] The Dairy and Food Commissioner shall be charged with the enforcement of the provisions of this act

Section 5 [That all] All fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid to the Dairy and Food Commissioner or his agent and when so collected and paid shall thereafter be by the Dairy and Food Commissioner paid into the State Treasury for the use of the Commonwealth

Section 6 This act shall not apply to nor in any way

affect the act entitled "An act to prohibit the adulteration or coloring of milk and cream by the addition of so-called preservatives or coloring matter and to provide for the enforcement of the same" approved the tenth day of June [Anno Domini] one thousand eight hundred [and] ninety-seven and the amendment thereto approved the nineteenth day of April [Anno Domini] one thousand nine hundred [and] one entitled "An act to amend the first section of an act entitled 'An act to prohibit the adulteration or coloring of milk and cream by the addition of so-called preservatives or coloring matter and to provide for the enforcement of the same' approved the tenth day of June [Anno Domini] one thousand eight hundred [and] ninety-seven" which act shall remain in full force but all other acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Will the Senate concur in the same?

**SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 991, RECALLED FROM THE GOVERNOR**

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 991, recalled from the Governor.

Mr. HARE. Mr. President, I second the motion.  
On the question,  
Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

**YEAS—50**

- |              |                 |            |              |
|--------------|-----------------|------------|--------------|
| Barr,        | Geltz,          | Meade,     | Tarr,        |
| Barrett,     | Haluska,        | Neff,      | Taylor,      |
| Berger,      | Hare,           | Pechan,    | Toole,       |
| Blass,       | Holland,        | Peelor,    | Wade,        |
| Chapman,     | Homsher,        | Robinson,  | Wagner,      |
| Crowe,       | Kephart,        | Rosenfeld, | Walker,      |
| Dent,        | Lane,           | Ruth,      | Watkins,     |
| Diehm,       | Leader,         | Scarlett,  | Watson,      |
| DiSilvestro, | Letzler,        | Snowden,   | Wolfe,       |
| Doehla,      | Lord,           | Stevenson, | Wood, L. H., |
| Donlan,      | Mahany,         | Stiefel,   | Wood, T. N., |
| Farrell,     | Mallery,        | Tallman,   | Yosko,       |
| Frazier,     | McPherson, Jr., |            |              |

**NAYS—0**

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

**BILL OVER IN ORDER**

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1301, on concurrence in House amendments recalled from the Governor, entitled:

An Act to add section one thousand two hundred eight point one to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter

of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justice of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by making certain pleas and payments of fines and costs in summary proceedings inadmissible as evidence in civil cases arising out of the same violations facts or circumstances.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

**BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR**

Agreeably to order,  
The Senate resumed the consideration of Senate Bill No. 456, as follows:

An Act to amend section seventeen of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by temporarily providing for partial reimbursement of taxes paid on liquid fuels consumed in the operation of nonlicensed farm tractor orlicensed farm tractor when used off the highways for agricultural purposes or non-licensed powered farm machinery for purposes relating to the actual production of farm products Providing penalties and making appropriations from the motor license fund for the payment of such reimbursements and expenses in connection therewith

Whereas On the theory that the use of highways and bridges and air transportation are the means by which revenue from taxes on motor fuels are derived the people of the Commonwealth by constitutional amendment have earmarked such revenue for public highways and bridges and air navigation facilities and

Whereas Large quantities of motor fuels are consumed in agricultural pursuits without the use of public highways or bridges or air navigation facilities and

Whereas the agriculture industry of the Commonwealth fully recognizes the importance to it of the further improvement of farm to market roads and its obligation to assume a proper share of the cost of such improvement and is appreciative of the fact that any decrease in taxes on real estate for road purposes brought about by the appropriation of liquid fuels tax funds for local road purposes amounts in some degree to an indirect reimbursement to the industry of liquid fuels taxes paid by it and

Whereas the agriculture industry of the Commonwealth takes the position that full payment of the liquid fuels tax on fuels consumed in farm equipment for the use of

public highways or bridges or air navigation facilities places an unfair and excessive burden upon the industry and

Whereas Our appellate courts have held that farmers constitute a proper classification for exemption from taxation and that there is nothing in the Constitution of Pennsylvania prohibiting the Legislature from granting them such exclusion and

Whereas Agriculture is the largest single industry of the Commonwealth and its costs of production directly affect the living costs of the average citizen and

Whereas A reduction to the farmer in the cost of producing farm products should result in a corresponding reduction to the consumer therefore

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

Section 1 Section seventeen of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herei ndefined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" is hereby amended to read as follows

Section 17 Refunds The Board of Finance and Revenue may refund to distributors taxes penalties and interest paid by them on liquid fuels delivered to the United States government or paid as the result of an error of law or of fact or of both law and fact Claims for [refund] such refunds shall be made under the procedure prescribed by The Fiscal Code

Any person who shall use or buy liquid fuels on which the tax imposed by this act shall have been paid and shall consume the same in the operation of any non-licensed farm tractor or licensed farm tractor when used off the highways for agricultural purposes or non-licensed powered farm machinery for purposes relating to the actual production of farm products shall be reimbursed one-half the amount of such tax

All such claims for reimbursement shall be made upon a form to be furnished by the board of finance and revenue and shall include in addition to such other information as the board may by regulation prescribe the name and address of the claimant the period of time and the number of gallons of liquid fuels used for which reimbursement is claimed a description of the farm machinery in which such liquid fuels have been used and the purposes for which such machinery has been used the size of the farm and part thereof in cultivation on which such liquid fuels have been used each such claim shall contain statements that the liquid fuels for which reimbursement is claimed have been used only for purposes for which reimbursements are permitted that records of the amounts of such fuels used in each piece of farm machinery have been kept and that no part of such claim has been paid except as statede each such claim shall contain a declaration that it and accompanying receipts are true and correct to the best of claimant's knowledge and shall be signed by the claimant or the person claiming on his behalf Every claim shall be accompanied by receipts indicating that the fuels tax was paid on the liquid fuels for which reimbursement is claimed All records of purchases of liquid fuels and use in each tractor or powered machinery shall be kept for a period of two years Every such claim shall be made quarterly for a period represented by the preceding three months and shall be submitted to the Board of Finance and Revenue not later than the fifteenth day of April July October and January follow-

ing the end of each three-months period and the board shall refuse to consider any claim received or post-marked later than such date The claimant shall satisfy the board that he has paid the tax and that the liquid fuels have been consumed by him in the operation of a tractor or piece of powered machinery for purposes relating to the actual production of farm products The board may require any claimant to furnish such further information proof or fuller explanation as it shall deem necessary The action of the Board of Finance and Revenue in granting or refusing reimbursement shall be final The board shall deduct the sum of one dollar and fifty cents (\$1.50) which shall be considered as a filing fee from every claim for reimbursement granted Such filing fees are hereby specifically appropriated to the Board of Finance and Revenue and to the Department of Revenue for expenses of any nature whatsoever incurred in the administration of the reimbursement provisions of this act the Board of Finance and Revenue shall have the power to refer to the Department of Revenue for investigation any claim for reimbursement filed under the provisions of this act and it shall be the duty of the Department of Revenue to investigate such application and report to the Board of Finance and Revenue relative thereto Any person making any false or fraudulent statement for the purpose of obtaining reimbursement shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars (\$1000) or to undergo imprisonment for not more than six (6) months or both

All refunds and reimbursements of moneys allowed hereunder shall be paid from the Motor License Fund and the Liquid Fuels Tax Fund in amounts equal to the original distribution and payment of such moneys into said funds Provided however That reimbursement for taxes paid on liquid fuels consumed in the operation of tractors and powered machinery for purposes relating to the actual production of farm products shall be paid out of the motor license fund

As much of the moneys from time to time in the Motor License Fund and the Liquid Fuels Tax Fund as may be necessary is hereby appropriated to the Board of Finance and Revenue for the purpose of making refunds and reimbursements as herein authorized Estimates of the amounts to be expended from these funds for refunds and reimbursements from time to time by the board shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition of the Board of Finance and Revenue for the expenditure of moneys hereunder in excess of the estimates approved by the Governor

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-nine and shall apply only to liquid fuels purchased on and after said date and before the thirtieth day of June one thousand nine hundred fifty-one

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr.	Geltz.	Meade.	Tarr.
Barrett.	Haluska,	Neff.	Taylor,
Berger.	Hare.	Pechan,	Toole.
Blass.	Holland.	Peilor.	Wade.
Chapman.	Homsher.	Robinson.	Wagner.
Crowe.	Kephart.	Rosenfeld.	Walker.
Dent.	Lane.	Ruth.	Watkins.
Diehm.	Leader.	Scarlett.	Watson.
DiSilvestro.	Letzler.	Snowden.	Wolfe.
Doehla.	Lord.	Stevenson.	Wood, L. H.,
Donlan.	Mahany.	Stiefel.	Wood, T. N.,

Farrell, Mallery, Tallman, Yosko,  
Frazier, McPherson, Jr.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 24, as follows:

An Act requiring political subdivisions to file copies of zoning ordinances together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances in the recorder's office invalidating zoning ordinances hereto adopted unless copies thereof together with maps are filed within a certain time and imposing duties and conferring powers on recorders of deeds

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

Section 1 Every political subdivision of this Commonwealth authorized by law to adopt zoning ordinances restricting regulating or otherwise affecting the use of real estate located within the boundaries of such political subdivision shall file a copy of any such ordinance or amendment thereto certified to be true and correct by the proper officer in the office for the recording of deeds of the county wherein the political subdivision is situate together with a map or plan of the political subdivision or part thereof clearly delineating the affected areas or zones with a brief statement of the type or kind of restriction or regulation for each area or zone

Section 2 Any zoning ordinance or amendment thereto heretofore adopted by any political subdivision shall be void and of no effect unless such political subdivision shall comply with the provisions of this act within six months of the effective date hereof No zoning ordinance hereafter adopted by any political subdivision nor amendment to an existing zoning ordinance shall become effective until the political subdivision adopting the same shall have complied with the provisions of this act

Section 3 It shall be the duty of the recorder of deeds of each county of this Commonwealth to provide a suitable "Zoning Ordinance and Map" book or books and to maintain an adequate index as part of the same in which the filed copy of any such zoning ordinance and amendments thereto together with the map or plan of the political subdivision or part thereof shall be kept The recorder of deeds shall charge the political subdivision filing the same a fee equal to the fees authorized by law for the same or similar services

Section 4 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Section 5 The provisions of this act shall become effective immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr, Meade, Tarr,  
Barrett, Neff, Taylor,  
Berger, Haluska, Pechan, Toole,  
Hare.

Blass, Holland, Peelor, Wade,  
Chapman, Homsher, Robinson, Wagner,  
Crawe, Kephart, Rosenfeld, Walker,  
Dent, Lane, Ruth, Watkins,  
Diehm, Leader, Scarlett, Watson,  
DiSilvestro, Letzler, Snowden, Wolfe,  
Doehla, Lord, Stevenson, Wood, L. H.,  
Donlan, Mahany, Stiefel, Wood, T. N.,  
Farrell, Mallery, Tallman, Yosko,  
Frazier, McPherson, Jr.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representative with information that the Senate has passed the same without amendments.

BILL DROPPED FROM CALENDAR

Mr. WALKER. Mr. President, I move that Senate Bill No. 42, on third reading, entitled:

An Act prohibiting political subdivisions from imposing wage income or occupation taxes on nonresidents and abolishing such taxes heretofore imposed

be dropped from the Calendar.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the affirmative.)

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 103, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire by purchase condemnation lease or gift certain lands adjacent to the Daniel Boone Homestead property providing for the maintenance and improvement thereof and making an appropriation for the payment of the costs of such acquisition

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

Section 1 The Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission is hereby authorized to acquire by purchase condemnation lease or gift in the name of the Commonwealth a tract or tracts of land adjoining the Daniel Boone Homestead property of the Commonwealth of Pennsylvania in Exeter Township Berks County Pennsylvania and in particular a tract comprising approximately forty acres along the southern boundary thereof for the purpose of enlarging and protecting such Daniel Boone Homestead property upon which the Commonwealth has made extensive improvements and which the Commonwealth is in the process of restoring to the original

Section 2 The Pennsylvania Historical and Museum Commission is hereby charged with the maintenance and improvement of such tract or tracts when and if acquired and for such purposes is hereby authorized to use any funds not otherwise specifically appropriated at its disposal therefor

Section 3 The sum of five thousand dollars (\$5000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the payment of the costs of acquiring such tract or tracts of land and for the payment of any additional

expenses incurred in connection therewith Payment for said appropriation shall be made by requisition of the Secretary of the Department of Property and Supplies in the manner provided by law

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time. and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

- Barr, Barrett, Berger, Blass, Chapman, Crowe, Dent, Diehm, DiSilvestro, Doehla, Donlan, Farrell, Frazier, Geltz, Haluska, Hare, Holland, Homsher, Kephart, Lane, Leader, Letzler, Lord, Mahany, Mallery, McPherson, Jr., Meade, Neff, Pechan, Peelor, Robinson, Rosenfeld, Ruth, Scarlett, Snowden, Stevenson, Stiefel, Tallman, Tarr, Taylor, Toole, Wade, Wagner, Walker, Watkins, Watson, Wolfe, Wood, L. H., Wood, T. N., Yosko.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 178, as follows:

An Act to further amend the eighth paragraph of section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees' Retirement Fund for certain purposes" by providing for the payment of the entire amount of the tax into the funds of the several retirement systems The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The eighth paragraph of section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees' Retirement Fund for certain purposes" which section was amended by the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 160) and in part by the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 720) is hereby further amended to read as follows

Section 1

\* \* \* \* \*

On and after the first day of January one thousand

nine hundred and [forty-four] forty-nine and annually thereafter there shall be paid by the State Treasurer to the treasurers of the several municipalities within the Commonwealth and to the State Employees' Retirement Fund for State police pension and retirement purposes [one-half of the net] the entire amount received from the two per centum tax paid upon premiums by foreign casualty insurance companies The amounts to be distributed shall be allocated in accordance with the following formulae

Section 2 The provisions of this amendment shall apply to all moneys received from aforesaid tax in the year one thousand nine hundred forty-nine and thereafter

Section 3 The additional moneys required to be paid out of the State Treasury in compliance with this amendment on account of said tax moneys received during the year one thousand nine hundred forty-nine shall be paid as herein provided only if there are unexpended and unencumbered moneys in the General Fund at the end of the fiscal year of one thousand nine hundred forty-nine sufficient to make such payments The Governor shall with the advice of his fiscal officers make the final determination as to the availability of such moneys

Section 4 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

- Barr, Barrett, Berger, Blass, Chapman, Crowe, Dent, Diehm, DiSilvestro, Doehla, Donlan, Farrell, Frazier, Geltz, Haluska, Hare, Holland, Homsher, Kephart, Lane, Leader, Letzler, Lord, Mahany, Mallery, McPherson, Jr., Meade, Neff, Pechan, Peelor, Robinson, Rosenfeld, Ruth, Scarlett, Snowden, Stevenson, Stiefel, Tallman, Tarr, Taylor, Toole, Wade, Wagner, Walker, Watkins, Watson, Wolfe, Wood, L. H., Wood, T. N., Yosko.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 200, as follows:

An Act establishing a State Institution Employees and Pennsylvania Liquor Control Board Officers' Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board providing for contributions by employees of certain Pennsylvania State Institutions and officers of the Pennsylvania Liquor Control Board and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties



exempting annuities allowances returns benefits and rights from taxation and judicial processes making an appropriation and providing penalties

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

Section 1 The following words and phrases as used in this act shall be construed to have the following meanings

"Accumulated Deductions" the total of the amounts deducted from the salary of a contributor and paid into the fund and standing to his credit in the fund together with the regular interest thereon

"Beneficiary" any person in receipt of a retirement allowance under this act

"Board" the State Employees' Retirement Board of the Department of State

"Contributor" any person who has accumulated deductions in the fund standing to his credit

"Employes of State Institutions" shall mean and include all employes of state penal and correctional institutions and state mental hospitals and employes of the prison industries working in state penal institutions

"Final Salary" the average annual compensation earnable by a contributor before any deductions have been made and exclusive of maintenance allowances and expenses for the five years of service immediately preceding retirement or in the event a member has not served five years the total retirement compensation earnable divided by the number of years served.

"Fund" the State Employees' Retirement Fund

"Member's Annuity" payments for life derived from contributions made by the contributor

"Officers" shall mean and include any Enforcement Officer or Investigator of the Pennsylvania Liquor Control Board who is a peace officer vested with police power and authority throughout the Commonwealth and such administrative and supervisory personnel of the Liquor Control Board vested with police power who are charged with the administration or enforcement of the liquor laws of the Commonwealth

"Liquor Control Board" shall mean the Pennsylvania Liquor Control Board

"Regular Interest" interest at the rate of four per centum (4%) compounded annually

"Superannuation Retirement Age" shall mean years of age

Section 2 State institution employes and Liquor Control Board Officers' Retirement System A retirement system is hereby established for the employes of certain state institutions and officers of the Liquor Control Board which system shall be administered by the State Employees' Retirement Board of the Department of State

Section 3 Administrative Expenses as to Liquor Control Board Officers' Retirement System The expense of the administration of this act including the payment of retirement allowances and other benefits shall be paid by the Commonwealth by biennial appropriations out of the State Stores' Fund made on the basis of estimates submitted by the Board Provided That all appropriations shall be charged to income of the Liquor Control Board derived solely from filing fees license transfer fees amusement permit fees and such license and permit fees payable to the Liquor Control Board which are not returnable to the several municipalities of the Commonwealth as to the expenses of administration of this act including payment of retirement allowances and other benefits to employes of the state institutions as defined in this act shall be paid by the Commonwealth by biennial appropriations out of general funds of the Commonwealth

Section 4 Payments into the State Employees' Retirement Fund All appropriations made by the Commonwealth out of the general Funds and out of the State Stores Fund all contributions by officers of the Liquor Control Board in the amount hereinafter specified and all interest on and increase of the investments and monies under this act shall be paid into the State Employees' Retirement Fund and shall be credited to the proper accounts in said fund as provided by law applying to said fund The Commonwealth shall on receiving the

certification of the Board periodically contribute such sums of money as the actuary shall estimate shall be required to annually meet the obligations incurred or to be incurred and to establish the reserves provided for in this act

Section 5 Rules and Regulations Actuarial Data Appropriations to the Fund The Board shall from time to time establish such rules and regulations for the administration of this act as may be deemed necessary It shall keep such data as shall be necessary for actuarial valuation purposes The actuary of the Board shall periodically make an actuarial investigation into the mortality and service experience of the contributors to and beneficiaries of the fund and shall adopt for the Retirement System one or more mortality tables and certify to the Board biennially the amount of contributions required to be made by the Commonwealth to the fund to build up and maintain adequate reserves for the payment of the State's share of the retirement allowances and other disbursements provided by this act

Section 6 Compulsory Membership Every employe of the state institutions enumerated in this act and every Officer of the Liquor Control Board shall be required to become a member of the retirement system established by this act on January first one thousand nine hundred and fifty and thereafter when first becoming an employe of any state institution is enumerated herein or an Officer of the Liquor Control Board Contributions by members under this act shall commence with the first payroll after January first one thousand nine hundred and fifty

Section 7 Commonwealth Guarantee Biennial Budgets The regular interest charges payable and the creation and maintenance of the necessary reserves for the payment of the State and members' annuities in accordance with this act are hereby made obligations of the Commonwealth of Pennsylvania The Board shall prepare and submit to the budget secretary on or before the first day of November of each even-numbered year an itemized estimate of the amounts necessary to be appropriated from the State Stores Fund to complete the payments of the obligations of the Commonwealth during the fiscal biennium beginning June first of the following year

Section 8 Service Allowance In computing the length of service of a contributor for retirement purposes full credit shall be given to each contributor for each year of service rendered to the Commonwealth including all service rendered prior to January first one thousand nine hundred and fifty upon complying with the provisions of this act The time during which a contributor is absent from service without pay excepting active military service shall not be counted in computing the service of a contributor unless approved by the Board

Section 9 Payments by Contributors All contributors shall be required to contribute into the Fund at the same rate of contribution according to age as is required of State employes' contributing at the one one-hundredth (1/100) rate under the State Employees' Retirement Act Every contributor who was a member of the State Employees' Retirement System shall receive full credit under this act for all contributions made into the fund and for all service credits to which he was entitled under the State Employees' Retirement System

Section 10 Contributions by the Commonwealth The Commonwealth shall contribute from the general fund as to employes of State institutions and from the State Stores Fund as to Officers of the Liquor Control Board as hereinafter set forth from time to time sufficient monies to build up the reserves required to pay to each contributor upon superannuation retirement a State annuity equal to (a) two one-hundredth (2/100) of his final salary for each year of total service and (b) an additional State annuity which shall be equivalent to the additional member's annuity which the accumulated deductions standing to the credit of the contributor would purchase if he retired at age sixty under the State Employees' Retirement System

The amounts to be paid by the Commonwealth from the State Stores Fund and General Fund into the State

Employees' Retirement Fund shall be apportioned in the same ratio as the salaries of the Officers of the Liquor Control Board and Employees of the state institutions enumerated in this act

Section 11 Payments Upon Death If the Board shall find that a contributor died as a direct or proximate result of injuries received in the course of his employment or while on disability retirement allowance resulting from such injuries a retirement allowance shall be paid to his widow so long as she remains his widow and if and when such widow dies or remarries then to his children under eighteen (18) years of age while they are under eighteen (18) years of age and if and when there are no children under eighteen (18) years of age then to the member's parent or parents if they are dependent

Such retirement allowance shall consist of (a) a member's annuity which shall be the actuarial equivalent of the contributor's accumulated deductions standing to his credit and (b) a State annuity equal to fifty per centum (50%) of the final salary of the contributor less the amount which is paid to any such widow or children or dependent parent or parents under the Workmen's Compensation Laws of this Commonwealth during the period such compensation is paid or payable

Section 12 Superannuation Retirement Allowance (a) Any contributor having completed ten (10) years of service as an officer or employe may retire for superannuation after having reached the superannuation retirement age by filing with the Board a written application for retirement duly attested setting forth on what date he desires to be retired Said application shall make the superannuation retirement allowance effective on the dates so specified if such application was filed in the offices of the board or deposited in the United States mail addressed to the Board before the date specified in the application and before the death of the contributor Provided That the date so specified in the application shall not be more than thirty days from the date of filing or depositing the application in the mail

(b) Any contributor after having reached the superannuation retirement age must retire if after a medical examination upon the direction of the Liquor Control Board of the institution by which employed the Liquor Control Board or the institution shall decide he is incapable of performing the duties of an officer or employe

(c) When a contributor retires for superannuation under the provisions of this section he shall be paid a retirement allowance disbursed according to his election as provided in section fifteen Such retirement allowance shall consist of (a) a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the Member's Annuity Reserve Account and (b) a State annuity equal to two one hundredths (2/100) of his final salary for each year of total service and an additional State annuity which shall be equivalent to the additional member's annuity which the accumulated deductions standing to the credit of the contributor would purchase if he retired at age sixty under the State Employees' Retirement System but the State annuity shall not exceed fifty per centum (50%) of the contributor's final salary

Section 13 Disability Retirement Allowance In case of the disability of a contributor regardless of the length of service of the contributor a retirement allowance shall be granted the contributor which shall consist of (a) a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the Member's Annuity Reserve Account and (b) a State annuity equal to two one-hundredths (2/100) of his final salary multiplied by the number of years service but in any case not less than thirty per centum (30%) nor more than fifty per centum (50%) of said salary

Section 14 Involuntary Retirement Allowances Should a contributor be discontinued from service not voluntarily after having completed ten years of total service or voluntarily after having completed twenty-five years of total service but before reaching superannuation retirement age he shall upon filing of application in the

manner herein provided for superannuation retirement be paid as he may elect as follows (a) The full amount of the accumulated deductions standing to his credit or (b) a member's annuity of equivalent actuarial value to his accumulated deductions standing to his credit and in addition a State annuity having a value equal to the present value of a State annuity beginning at superannuation retirement age as provided in this act with respect to State annuities for superannuation retirement The same options shall be available to beneficiaries in case of involuntary retirement as provided herein the case of superannuation retirement

Section 15 Options of Superannuation Retirement At the time of superannuation retirement any contributor may elect that the retirement allowance be payable in conformance with any of the following plans

(1) There shall be paid to the beneficiary the actuarial equivalent of the members' and State annuity as a retirement allowance payable throughout his life and upon the beneficiary's death all retirement allowance payments shall cease

(2) If the retirement allowance would be less than ten dollars (\$10) per month there shall be paid to the beneficiary the full amount of the accumulated deductions standing to his individual credit in the Members' Annuity Reserve Account

(3) There shall be paid to a beneficiary the actuarial equivalent of the members' and State annuity in a lesser retirement allowance payable throughout life with any of the following provisions

(a) If the beneficiary die before receiving in payments the present value of his members' annuity and State annuity as it was at the time of his retirement the balance shall be paid to his legal representatives or to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board

(b) Upon his death his member's annuity and State annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board

(c) Upon his death one-half of his members' and State annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement

Section 16 Monthly payments of Retirement Allowances The retirement allowances granted under the provisions of this act shall be paid in equal monthly installments and shall not be increased decreased revoked or repealed unless by an act of Assembly

Section 17 Refunds in Case of Withdrawal or Death Where a contributor resigns from service before becoming entitled to a retirement allowance or where a contributor has died and no application for a retirement allowance shall have been made by a person entitled to claim under the provisions of this act within six months after resignation or death then the amount standing to the credit of the contributor in the Members' Annuity Reserve Account shall be paid to him or to the person nominated by him by written designation duly acknowledged and filed by the contributor with the Board or in lieu of such designation such amount shall be paid to his estate

Section 18 Exemption from Taxation and Execution Etc Any Money received or to be paid as a members' annuity State annuity or return of deductions or the right to any of these shall be exempt from any State or municipal tax and from levy sale garnishment attachment or any other process whatsoever and shall be unassignable except for a loan not in excess of three hundred dollars (\$300) the interest on which shall not exceed six per centum (6%) per annum received by a contributor from a credit union now or hereafter organized or incorporated under the laws of this Commonwealth the membership of which credit union is limited solely to officers and employes of the Commonwealth

**Section 19 Nomination of Beneficiary** Every contributor shall have the authority to change the person nominated by him as the beneficiary by written designation duly acknowledged and filed with the board up until but not after the time of retirement.

**Section 20 Fraud Correction of Errors** (a) No person shall knowingly make any false statement or shall falsify or permit to be falsified any record or records of the retirement system herein established in any attempt to defraud such system

(b) Should any such change in records fraudulently made or any mistake in records inadvertently made result in any contributor or beneficiary receiving more or less than he would have been entitled to had the records been correct then on the discovery of such error the board shall correct such error and shall adjust the payments which shall be made to the contributor or annuitant in such manner that the actuarial equivalent of the benefit to which he was correctly entitled shall be paid

Any person violating any of the provisions of subsection (a) of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars (\$1000) or suffer imprisonment not exceeding one year or both in the discretion of the court

**Section 21 Medical Expenses** The fund shall upon approval by the board be available for the payment of the necessary and proper medical surgical and hospital expenses incurred as a direct and proximate result of illness contracted or injuries received in the course of a contributor's employment except as otherwise expressly herein provided The fund shall upon approval by the Board also be available for the payment of that portion of the necessary and proper medical surgical and hospital expenses not exceeding two hundred dollars (\$200) but in excess of twenty-five dollars (\$25) incurred by a contributor for any one other illness in the calendar year except as otherwise expressly herein provided In no event shall any charge for medical surgical or hospital expenses of a contributor whether incurred because of illness contracted or injuries received in the course of or outside of the course of employment be allowed until the contributor has resorted to all other funds that may be rightfully charged with such expenses and there is a balance remaining unpaid

**Section 22 Subrogation** Where a third person is liable to the member or his dependents for injury or death the Commonwealth shall be subrogated to the right of the member or the dependents against such third person but only to the extent of the State annuity payable under this act by the Commonwealth Any recovery against such third person in excess of the State annuity theretofore paid or thereafter to be paid by the Commonwealth shall be paid forthwith to the contributor or the person designated by the contributor

**Section 23 Payments Under Other Laws** All payments provided for in this act are in addition to any other benefits now or hereafter provided for under any Workmen's Compensation Law or any other law except as otherwise herein provided

**Section 24 Amendments to Law** The Legislature shall have the right and the authority to alter strike out add to or amend or supplement any of the provisions of this act or to repeal the entire act and the board shall have the same right and authority with reference to its regulations excepting that no law or regulation shall deprive a contributor of the money standing to his credit in the Members' Annuity Reserve Account

**Section 25 State Employees' Retirement Law to Apply Generally** Except as otherwise provided in this act the retirement system established by this act shall be administered in accordance with the laws rules and regulations applying to the State Employees' Retirement System

**Section 26** The sum of forty-seven thousand dollars (\$47,000) is hereby specifically appropriated to the Department of State for payment into the State Employees' Retirement Fund to cover the additional liability for reserve required by reason of the provisions of this act

**Section 27 Effective Date** This act shall become effective January first one thousand nine hundred and fifty

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill the the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 206, as follows:

An Act to further amend section two thousand eight hundred one A of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) 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" further regulating the disposition of museum material in the custody of the Pennsylvania Historical and Museum Commission

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

**Section 1** Section two thousand eight hundred one A of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) 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" as last amended by the act approved the fourteenth day of June one thousand nine hundred forty-seven (P. L. 604) is hereby further amended by adding at the end thereof a new clause to read as follows

Section 2801-A Pennsylvania Historical and Museum Commission Subject to any inconsistent provisions in this act contained the Pennsylvania Historical Commission shall have the power and its duties shall be

\* \* \* \* \*

(v) With the approval of the Governor to lend to any other museum archival depository historical society or other reliable organized group of an educational nature any relics articles of historical interest manuscripts documents or other material committed to its custody under rules and regulations adopted by the Commission to provide adequate security for the safe return of said material which rules and regulations shall include provision for full insurance protection of any material loaned and also with the approval of the Governor to exchange material with other museums archival depositories historical societies or other reliable organized group of an educational nature Provided That no unique relic article manuscript document or other material which is of special significance to the history of Pennsylvania shall be exchanged in this manner

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

- |              |                 |            |              |
|--------------|-----------------|------------|--------------|
| Barr,        | Geltz,          | Meade,     | Tarr,        |
| Barrett,     | Haluska,        | Neff,      | Taylor,      |
| Berger,      | Hare,           | Pechan,    | Toole,       |
| Blass,       | Holland,        | Peelor,    | Wade,        |
| Chapman,     | Homsher,        | Robinson,  | Wagner,      |
| Crowe,       | Kephart,        | Rosenfeld, | Walker,      |
| Dent,        | Lane,           | Ruth,      | Watkins,     |
| Diehm,       | Leader,         | Scarlett,  | Watson,      |
| DiSilvestro, | Letzler,        | Snowden,   | Wolfe,       |
| Doehla,      | Lord,           | Stevenson, | Wood, L. H., |
| Donlan,      | Mahany,         | Stiefel,   | Wood, T. N., |
| Farrell,     | Mallery,        | Tallman,   | Yosko,       |
| Frazier,     | McPherson, Jr., |            |              |

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 216, as follows:

An Act requiring political subdivisions to file copies of building ordinances in the recorder's office invalidating

building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds

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

Section 1 Every political subdivision of this Commonwealth authorized by law to adopt building ordinances or codes restricting regulating or otherwise effecting the construction reconstruction or improvement of real estate located within the boundaries of such political subdivision shall file a copy of any such ordinance or code or amendment thereto certified to be true and correct by the proper officer in the office for the recording of deeds of the county wherein the political subdivision is situate which copy shall be adequately indexed to enable a person using the same to readily find the various types and kinds of regulations or requirements of such ordinance or code

Section 2 Any building ordinance or code or amendment thereto heretofore adopted by any political subdivision shall be void and of no effect unless such political subdivision shall comply with the provisions of this act within six (6) months of the effective date hereof No building ordinance or code nor amendment to an existing ordinance or code shall become effective until the political subdivision adopting the same shall have complied with the provisions of this act

Section 3 It shall be the duty of the recorder of deeds of each county of this Commonwealth to provide a suitable "Building Ordinance Book" or books and to maintain an adequate index as part of the same in which the filed copy of any such building ordinance or code and amendments thereto shall be kept The recorder of deeds shall charge the political subdivision filing the same a fee equal to the fees authorized by law for the same or similar services

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

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

- |              |                 |            |              |
|--------------|-----------------|------------|--------------|
| Barr,        | Geltz,          | Meade,     | Farr,        |
| Barrett,     | Haluska,        | Neff,      | Taylor,      |
| Berger,      | Hare,           | Pechan,    | Toole,       |
| Blass,       | Holland,        | Peelor,    | Wade,        |
| Chapman,     | Homsher,        | Robinson,  | Wagner,      |
| Crowe,       | Kephart,        | Rosenfeld, | Walker,      |
| Dent,        | Lane,           | Ruth,      | Watkins,     |
| Diehm,       | Leader,         | Scarlett,  | Watson,      |
| DiSilvestro, | Letzler,        | Snowden,   | Wolfe,       |
| Doehla,      | Lord,           | Stevenson, | Wood, L. H., |
| Donlan,      | Mahany,         | Stiefel,   | Wood, T. N., |
| Farrell,     | Mallery,        | Tallman,   | Yosko,       |
| Frazier,     | McPherson, Jr., |            |              |

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third read and consideration of House Bill No. 234, as follows:

An Act to add a new section to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the

public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garagekeepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting the use of the highways to vehicles in which television sets are installed within the view of the operator

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

Section 1 Article eight of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors streets cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding after section eight hundred sixteen point two a new section to read as follows

Section 816.3 Television in Vehicles in View of Operator Prohibited It shall be unlawful for any person to operate any motor vehicle upon a highway in which has been installed any type of television set or equipment whereby the video screen of such television set is within the view of the operator of such motor vehicle

Penalty Any person violating the provisions of this section shall upon summary convictions before a magistrate be sentenced to pay a fine of ten dollars (\$10) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,                    Geltz,                    Meade,                    Tarr,

Barrett,  
Berger,  
Blass,  
Chapman,  
Crowe,  
Dent,  
Diehm,  
DiSilvestro,  
Doehla,  
Donlan,  
Farrell,  
Frazier,

Haluska,  
Hare,  
Holland,  
Homsher,  
Kephart,  
Lane,  
Leader,  
Letzler,  
Lord,  
Mahany,  
Mallery,  
McPherson, Jr.,

Neff,  
Pechan,  
Peelor,  
Robinson,  
Rosenfeld,  
Ruth,  
Scarlett,  
Snowden,  
Stevenson,  
Stiefel,  
Tallman,

Taylor,  
Toole,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood, L. H.,  
Wood, T. N.,  
Yosko,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 238, as follows:

An Act to further amend section one of the act approved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" by including Catholic War Veterans Inc among the veterans' organizations entitled to the printing of convention reports

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

Section 1 Section one of the act approved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" as last amended by the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 325) is hereby further amended to read as follows

Section 1 Be it enacted &c That whenever the department commanders of the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion the Disabled American Veterans of the World War the American Veterans of World War II (AMVETS) Military Order of the Purple Heart Jewish War Veterans Catholic War Veterans Inc and the Marine Corps League shall report to the Department of Property and Supplies the proceedings of the annual encampment or conventions of their respective departments with such general and special orders and circulars and other data which may form a part of said proceedings then the said proceedings so reported shall be considered State records and under the direction of the Department of Property and Supplies shall be printed and bound and a printed and bound copy thereof shall be sent to each post or detachment in the Commonwealth of Pennsylvania of the organization of whose proceedings the same is a report

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,                    Geltz,                    Meade,                    Tarr,

Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 239, as follows:

An Act to further amend section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by including Catholic War Veterans Inc among the organizations exempt from payment of registration fees of vehicles used by such organization The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last

amended by the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 331) is hereby further amended to read as follows

Section 722 Exemptions from Fees

(a) No fee shall be charged for a certificate of title or registration of motor vehicles fire department equipment trailers and semi-trailers owned by and used exclusively in the performance of the duties of (a) the Federal Government (b) any state other than Pennsylvania which issues titles or registrations to this Commonwealth without charge (c) the Commonwealth of Pennsylvania (d) any city borough incorporated town township county poor or school district of this Commonwealth (e) any duly authorized volunteer fire force in the extinguishment and prevention of fires or in rescue work hospital humane society or anti-cruelty society in this Commonwealth (f) the American Red Cross (g) churches (h) Girl Scouts of America (i) Boy Scouts of America (j) Salvation Army (k) duly chartered post or organization of the American Legion Veterans of Foreign Wars American veterans of World War II (AMVETS) the Marine Corps League Military Order of the Purple Heart Jewish War Veterans Catholic War Veterans Inc or United Spanish War Veterans of this Commonwealth or La Societe Des Forty Hommes et Eight Chevaux and organizations and units of the Pennsylvania National Guard (l) mine or industrial ambulances (m) ambassadors ministers foreign consuls general consuls and vice consuls who are nationals of the country appointing them and who are assigned to foreign consulates in this Commonwealth Provided That American consular officers of equal rank who are citizens of the United States and who exercise their official functions at American consulates in such foreign country are granted reciprocal exemptions but all such vehicles except those owned and used by the Federal Government shall be titled and registered and shall display registration plates as is now provided for privately owned motor vehicles trailers and semi-trailers

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 240, as follows:

An Act to further amend section one of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second class A

and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day" by including Catholic War Veterans Inc among the veterans organizations to which certain appropriations may be made

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

Section 1 Section one of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day" as amended the thirty-first day of May one thousand nine hundred forty-seven (P. L. 326) is hereby further amended to read as follows

Section 1 Be it enacted etc. That the respective authorities of the several cities of the first and second class and second class A and incorporated towns of this Commonwealth are hereby authorized to appropriate annually to each camp of the United Spanish War Veterans and to each post of the American Legion and to each post of the Veterans of Foreign Wars and to each post of the American Veterans of World War II (AMVETS) and to each detachment of the Marine Corps League and to each Naval Association and to each post of the Grand Army of the Republic and to each post of the Disabled American Veterans of the World War and to each chapter of the Military Order of the Purple Heart to each post of the Catholic War Veterans Inc and to each post of the Jewish War Veterans and to each organization of ex-service men incorporated under the laws of this Commonwealth in the respective cities or towns a sum not to exceed two hundred dollars to aid in defraying the expenses of Memorial Day and Armistice Day Where the Grand Army of the Republic has ceased to exist or to function such appropriation may be made to the Sons of Union Veterans of the Civil War or in the absence of such order to a duly constituted organization which conducts the decorating of the graves of Union veterans of the Civil War Such payments shall be made to defray actual expenses only Before any payment is made the organization receiving the same shall submit verified accounts of their expenditures

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

- |              |                 |            |              |
|--------------|-----------------|------------|--------------|
| Barr,        | Geltz,          | Meade,     | Tarr,        |
| Barrett,     | Haluska,        | Neff,      | Taylor,      |
| Berger,      | Hare,           | Pechan,    | Toole,       |
| Blass,       | Holland,        | Peelor,    | Wade,        |
| Chapman,     | Homsher,        | Robinson,  | Wagner,      |
| Crowe,       | Kephart,        | Rosenfeld, | Walker,      |
| Dent,        | Lane,           | Ruth,      | Watkins,     |
| Diehm,       | Leader,         | Scarlett,  | Watson,      |
| DiSilvestro, | Letzler,        | Snowden,   | Wolfe,       |
| Doehla,      | Lord,           | Stevenson, | Wood, L. H., |
| Donlan,      | Mahany,         | Stiefel,   | Wood, T. N., |
| Farrell,     | Mallery,        | Tallman,   | Yosko,       |
| Frazier,     | McPherson, Jr., |            |              |

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 241, as follows:

An Act to further amend clause thirty-four of section twenty-four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by including Catholic War Veterans Inc among the veterans organizations for which certain appropriations may be made

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

Section 1 Clause Thirty-four of section twenty-four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as last amended by the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 328) is hereby further amended to read as follows

Section 2403 Specific Powers In addition to other powers granted by this act the council of each city shall have power by ordinance

\* \* \* \* \*

34 Appropriations to Posts of Veterans To appropriate annually to each camp of the United States War Veterans and to each post of the American Legion and to each post of the Veterans of Foreign Wars and to each post of the American Veterans of World War II (AMVETS) to each post of the Catholic War Veterans Inc and to each detachment of the Marine Corps League and to each Naval Association and to each post of the Grand Army of the Republic and to each post of the Disabled American Veterans of the World War and to each chapter of the Military Order of the Purple Heart and to each post of the Jewish War Veterans and to each organization of ex-service men in the city incorporated under the laws of the Commonwealth a sum not to exceed two hundred dollars to aid in defraying the expenses of Memorial Day and Armistice Day When the Grand Army of the Republic has ceased to exist or to function such appropriation may be made to the Sons of Union Veterans of the Civil War or in the absence of such order to a duly constituted organization which conducts the decorating of the graves of Union veterans of the Civil War Such payments shall be made to defray actual expenses only Before any payment is made the organization receiving the same shall submit verified accounts of their expenditures

\* \* \* \* \*

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

- |              |                 |            |              |
|--------------|-----------------|------------|--------------|
| Barr,        | Geltz,          | Meade,     | Tarr,        |
| Barrett,     | Haluska,        | Neff,      | Taylor,      |
| Berger,      | Hare,           | Pechan,    | Toole,       |
| Blass,       | Holland,        | Peelor,    | Wade,        |
| Chapman,     | Homsher,        | Robinson,  | Wagner,      |
| Crowe,       | Kephart,        | Rosenfeld, | Walker,      |
| Dent,        | Lane,           | Ruth,      | Watkins,     |
| Diehm,       | Leader,         | Scarlett,  | Watson,      |
| DiSilvestro, | Letzler,        | Snowden,   | Wolfe,       |
| Doehla,      | Lord,           | Stevenson, | Wood, L. H., |
| Donlan,      | Mahany,         | Stiefel,   | Wood, T. N., |
| Farrell,     | Mallery,        | Tallman,   | Yosko,       |
| Frazier,     | McPherson, Jr., |            |              |

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 260, as follows:

An Act establishing a retirement system for game protectors of the Pennsylvania Game Commission providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board providing for contributions by game protectors of the Pennsylvania Game Commission and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes making an appropriation and providing penalties

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

Section 1 That the following words and phrases as used in this act shall be construed to have the following meanings

"Accumulated Deductions" the total of the amounts deducted from the salary or wages of a contributor and paid into the fund and standing to his credit in the fund together with the regular interest thereon

"Beneficiary" any person in receipt of a retirement allowance under this act

"Board" the State Employees' Retirement Board of the Department of State

"Contributor" any game protector who has accumulated deductions in the fund standing to his credit

"Game Protector" shall mean a male employe of the Pennsylvania Game Commission who was appointed a full time salaried game protector prior to the first day of January one thousand nine hundred thirty-seven and assigned to the duties of that position and all subsequent graduates of the Game Commission's Student Officer Training School appointed salaried game protectors in all cases of doubt the retirement board shall determine whether any person is a game protector as defined in this paragraph and its decision shall be final

"Final Salary" the average annual compensation earnable by a contributor before any deductions have been made and exclusive of maintenance allowances and expenses for the five years of service immediately preceding retirement or in the event an employe has not served five years the total retirement compensation earnable divided by the number of years served

"Fund" the State Employees' Retirement Fund

"Game Commission" the Pennsylvania Game Commission

"Member's Annuity" payments for life derived from contributions made by the contributor

"Member" shall mean a game protector of the Pennsylvania Game Commission who shall be a member of the retirement system established by this act

"Original Member" a game protector who was at any time a State employe prior to January first one thousand nine hundred and twenty-five and who is a game protector of the Pennsylvania Game Commission

"New Member" a person who became a game protector subsequent to December thirty-first one thousand nine hundred and twenty-four

"Prior Service" shall mean State service prior to January first one thousand nine hundred and twenty-four

"Regular Interest" interest at the rate of four per centum compounded annually

"Retirement Allowance" the State annuity plus the member's annuity

"State Annuity" payments for life derived from contributions made by the Commonwealth

"Superannuation Retirement Age" shall mean sixty years of age

Section 2 Game Commission Retirement System A Retirement system is hereby established for the game pro-

ectors of the Pennsylvania Game Commission which system shall be administered by the State Employees' Retirement Board of the Department of State

Section 3 Administrative Expenses The expense of the administration of this act exclusive of the payment of retirement allowances and other benefits shall be paid by the Commonwealth by biennial appropriations out of the General Fund made on the basis of estimates submitted by the board

Section 4 Payments into State Employees' Retirement Fund All payments or appropriations made from the Game Fund all contributions by game protectors of the Game Commission in the amount hereinafter specified and all interest on and increase of the investments and moneys under this act shall be paid into the State Employees' Retirement Fund and shall be credited to the proper accounts in said fund as provided by law applying to said fund The Game Commission shall on receiving the certification of the board periodically contribute such sums of money as the actuary shall estimate shall be required to annually meet the obligations incurred or to be incurred and to establish the reserves provided for in this act

Section 5 Rules and Regulations Actuarial Data Appropriations to Fund The board shall from time to time establish such rules and regulations for the administration of this act as may be deemed necessary It shall keep such data as shall be necessary for actuarial valuation purposes The actuary of the board shall periodically make an actuarial investigation into the mortality and service experience of the contributors to and beneficiaries of the fund and shall adopt for the retirement system one or more mortality tables and certify to the board biennially the amount of contributions required to be made by the Game Commission to the fund to build up and maintain adequate reserves for the payment of the State's share of the retirement allowances and other disbursements provided by this act

Section 6 Compulsory Membership Every game protector of the Pennsylvania Game Commission shall be required to become a member of the retirement system established by this act on January first one thousand nine hundred and fifty and thereafter when first becoming a game protector of the Game Commission Contributions by members under this act shall commence with the first payroll after January first one thousand nine hundred and fifty If any game protector employed by the Game Commission shall have been at any time theretofore in the Commonwealth's employ he shall receive credit for all such service prior to January first one thousand nine hundred and fifty upon complying with the provisions of this act

Section 7 Commonwealth Guarantee Biennial Budgets The regular interest charges payable and the creation and maintenance of the necessary reserves for the payment of the State and members' annuities in accordance with this act are hereby made obligations of the Commonwealth of Pennsylvania The board shall prepare and submit to the budget secretary on or before the first day of November of each even-numbered year an itemized estimate of the amounts necessary to be paid or appropriated by the Game Commission to complete the payments of the obligations of the Commonwealth during the fiscal biennium beginning June first of the following year

Section 8 Service Allowance In computing the length of service of a contributor for retirement purposes full credit shall be given to each contributor for each year of service rendered to the Commonwealth including service rendered prior to January first one thousand nine hundred and fifty upon complying with the provisions of this act As soon as practicable the retirement board shall issue to each original member a certificate certifying the aggregate length of his service prior to January first one thousand nine hundred and twenty-four Such certificate shall be final and conclusive as to his prior service unless thereafter modified by the board upon application of the contributor The time during which a contributor is absent



from service without pay shall not be counted in computing the service of a contributor unless approved by the board

**Section 9 Payments by Contributors** All original and new members shall be required to contribute into the fund at the same rate of contribution according to age as is required of State employes contributing at the one one-hundredth rate under the State Employes' Retirement Act All game protectors who were not members of the State Employes' Retirement System shall have the option of becoming original members of the retirement system established by this act but shall be required to pay into the fund a sum equal to all back payments which such person would have made had he become a member of the State Employes' Retirement System when the same was established In like manner any new member may elect to make back payments to the date when he first entered the service of the Board of Game Commissioners or Pennsylvania Game Commissioners Such back payments of original and new members may be spread over a period of years by having the regular payroll deduction of the contributor increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the full amount of such back payments have been completed Any such deduction increase may be anticipated in part or in full by the contributor at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then his member's annuity shall be calculated on the total accumulated deductions standing to his credit in the fund and the state annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of back payments not so anticipated

Every contributor who was a member of the State Employes' Retirement System shall receive full credit under this act for all contributions made into the fund and for all service credits to which he was entitled under the State Employes' Retirement System

**Section 10 Contributions by the Commonwealth** The Pennsylvania Game Commission of the Commonwealth shall contribute from time to time sufficient moneys to build up the reserves required to pay to each contributor upon superannuation retirement a State annuity equal to two one-hundredth (2/100) of his final salary for each year of total service and in addition thereto if an original member of two one-hundredth (2/100) of his final salary for each year of prior service

The amounts to be paid by the Game Commission into the State Employes' Retirement Fund shall be apportioned in the same ratio as the salaries of the employes of the Pennsylvania Game Commission

**Section 11 Payments Upon Death** If the board shall find that a contributor died as a direct and proximate result of injuries in the course of his employment or while on disability retirement allowance resulting from such injuries a retirement allowance shall be paid to his widow so long as she remains his widow and if and when such widow dies or remarries then to his children under eighteen (18) years of age while they are under eighteen (18) years of age and if and when there are no children under eighteen (18) years of age then to the member's parent or parents if they are dependent

Such retirement allowance shall consist of (a) a member's annuity which shall be the actuarial equivalent of the contributor's accumulated deductions standing to his credit and (b) a State annuity equal to 50% of the final salary of the contributor less the amount which is paid to any such widow or children or dependent parent or parents under the Workmen's Compensation Laws of this Commonwealth during the period such compensation is paid or payable

**Section 12 Superannuation Retirement Allowance** Any contributor may retire for superannuation by filing with the board a written application for retirement duly attested setting forth on what date he desires to be retired Said application shall make the superannuation retirement

allowance effective on the date so specified if such application was filed in the offices of the board or deposited in the United States mail addressed to the board before the date specified in the application and before the death of the contributor Provided however That the date so specified in the application shall not be more than thirty days from the date of filing or depositing the application in the mail

When a contributor retires for superannuation under the provisions of this section he shall be paid a retirement allowance disbursed according to his election as provided in section 15 Such retirement allowance shall consist of (a) a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the Member's Annuity Reserve Account and (b) a State annuity equal to two one-hundredth (2/100) of his final salary for each year of total service and if an original member in addition thereto of two one-hundredth (2/100) of his final salary for each year of prior service but the State annuity shall not exceed fifty (50%) per cent of the contributor's final salary

**Section 13 Disability Retirement Allowance** In case of the disability of a contributor regardless of the length of service of the contributor a retirement allowance shall be granted the contributor which shall consist of (a) a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the Member's Annuity Reserve Account and (b) a State annuity equal to two one hundredth (2/100) of his final salary multiplied by the number of years service but in any case not less than thirty per centum (30%) nor more than fifty per centum (50%) of said salary

**Section 14 Involuntary Retirement Allowances** Should a contributor be discontinued from service not voluntarily after having completed ten years of total service or voluntarily after having completed twenty-five years of total service but before reaching superannuation retirement age he shall upon filing of application in the manner herein provided for superannuation retirement be paid as he may elect as follows (a) The full amount of the accumulated deductions standing to his credit or (b) a member's annuity of equivalent actuarial value to his accumulated deductions standing to his credit and in addition a State annuity having a value equal to the present value of a State annuity beginning at superannuation retirement age as provided in this act with respect to State annuities for superannuation retirement The same options shall be available to beneficiaries in case of involuntary retirement as provided herein in the case of superannuation retirement

**Section 15 Options on Superannuation Retirement** At the time of superannuation retirement any contributor may elect that the retirement allowance be payable in conformance with any one of the following plans

(1) There shall be paid to the beneficiary the actuarial equivalent of the member's and State annuity as a retirement allowance payable throughout his life and upon the beneficiary's death all retirement allowance payments shall cease

(2) If the retirement allowance would be less than ten (\$10.00) dollars per month there shall be paid to the beneficiary the full amount of the accumulated deductions standing to his individual credit in the Member's Annuity Reserve Account

(3) There shall be paid to a beneficiary the actuarial equivalent of the member's and State annuity in a lesser retirement allowance payable throughout life with any one of the following provisions

(a) If the beneficiary die before receiving in payments the present value of his member's annuity and State annuity as it was in the time of his retirement the balance shall be paid to his legal representatives or to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board

(b) Upon his death his member's annuity and State annuity shall be continued through the life of and paid to

such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board

(c) Upon his death one-half of his member's and State annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement

**Section 16 Monthly Payments of Retirement Allowances** The retirement allowances granted under the provisions of this act shall be paid in equal monthly installments and shall not be increased decreased revoked or repealed unless by an act of Assembly

**Section 17 Refunds in Case of Withdrawal or Death** Where a contributor resigns from service before becoming entitled to a retirement allowance or where a contributor has died and no application for a retirement allowance shall have been made by a person entitled to claim under the provisions of this act within six months after resignation or death then the amount standing to the credit of the contributor in the Member's Annuity Reserve Account shall be paid to him or to the person nominated by him by written designation duly acknowledged and filed by the contributor with the board or in lieu of such designation such amount shall be paid to his estate

**Section 18 Exemption from Taxation and Execution Etc** Any money received or to be paid as a member's annuity state annuity or return of deductions or the right to any of these shall be exempt from any State or municipal tax and from levy sale garnishment attachment or any other process whatsoever and shall be unassignable except for a loan not in excess of three hundred (\$300) dollars the interest of which shall not exceed six (6%) per centum per annum received by a contributor from a credit union now or hereafter organized or incorporated under the laws of this Commonwealth the membership of which credit union is limited solely to officers and employes of the Commonwealth

**Section 19 Nomination of Beneficiary** Every contributor shall have the authority to change the person nominated by him as the beneficiary by written designation duly acknowledged and filed with the board up until but not after the time of retirement

**Section 20 Fraud Correction of Errors** (a) No person shall knowingly make any false statement or shall falsify or permit to be falsified any record or records of the retirement system herein established in any attempt to defraud such system

(b) Should any such change in records fraudulently made or any mistake in records inadvertently made result in any contributor or beneficiary receiving more or less than he would have been entitled to had the records been correct then on the discovery of such error the board shall correct such error and shall adjust the payments which shall be made to the contributor or annuitant in such manner that the actuarial equivalent of the benefit to which he was correctly entitled shall be paid

Any person violating any of the provisions of sub-section (a) of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand (\$1000) dollars or suffer imprisonment not exceeding one year or both in the discretion of the court

**Section 21 Medical Expenses** The Fund shall upon approval by the board be available for the payment of the necessary and proper medical surgical and hospital expenses incurred as a direct and proximate result of illness contracted or injuries received in the course of a contributor's employment except as otherwise expressly herein provided The fund shall upon approval by the board also be available for the payment of that portion of the necessary and proper medical surgical and hospital expenses not exceeding two hundred (\$200) dollars but in excess of twenty-five (\$25) dollars incurred by a contributor for any one other illness in the calendar year except as otherwise expressly herein provided However

in no event shall any charge for medical surgical or hospital expenses of a contributor whether incurred because of illness contracted or injuries received in the course of or outside of the course of employment be allowed until the contributor has resorted to all other funds that may be rightfully charged with such expenses and there is a balance remaining unpaid

**Section 22 Subrogation** Where a third person is liable to the member or his dependents for injury or death the Commonwealth shall be subrogated to the right of the member or the dependents against such third person but only to the extent of the State annuity payable under this act by the Commonwealth Any recovery against such third person in excess of the State annuity theretofore paid or thereafter to be paid by the Commonwealth shall be paid forthwith to the contributor or the person designated by the contributor

**Section 23 Payments Under Other Laws** All payments provided for in this act are in addition to any other benefits now or hereafter provided for under any Workmen's Compensation Law or any other law except as otherwise herein provided

**Section 24 Amendments to Law** The Legislature shall have the right and the authority to alter strike out add to or amend or supplement any of the provisions of this act or to repeal the entire act and the board shall have the same right and authority with reference to its regulations excepting that no law or regulation shall deprive a contributor of the money standing to his credit in the Member's Annuity Reserve Account

**Section 25 State Employes' Retirement Law to Apply Generally** Except as otherwise provided in this act the retirement system established by this act shall be administered in accordance with the laws rules and regulations applying to the State Employes' Retirement System

**Section 26 Appropriation** The sum of forty-seven thousand five hundred dollars (\$47,500) is hereby specifically appropriated to the Department of State for payment into the State Employes' Retirement Fund to cover the additional liability for reserve required by reason of the provisions of this act for the period commencing the first day of January one thousand nine hundred fifty and ending the thirty-first day of May one thousand nine hundred fifty-one

**Section 27 Constitutional Provisions** The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

**Section 28 Effective Date** This act shall become effective January first one thousand nine hundred and fifty

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr.	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland.	Peelor,	Wade,
Chapman.	Homsher.	Robinson.	Wagner.
Crowe.	Kephart.	Rosenfeld.	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro.	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan.	Mahany,	Stiefel,	Wood, T. N.,
Farrell.	Mallery,	Tallman,	Yosko,
Frazier.	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 285, as follows:

An Act to further amend sections one and eight of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties" further regulating such retirement systems

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

Section 1 Sections one and eight of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties" as amended by the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 777) are hereby further amended to read as follows

Section 1 The following words and phrases as used in this act unless a different meaning is plainly required by the context shall be construed to have the following meanings

"Board" the county retirement board created by this act

"County Employe" any person whether elected or appointed who is employed by the county the county institution district in the county prison or in any other institution maintained by the county from county moneys or who is employed by any county or State official and paid by such official from moneys appropriated by the county for such purpose whose salary or compensation is paid in regular periodic installments but shall not include any person paid on a per diem basis

In all cases of doubt the board shall determine whether a person is an employe within the meaning of this act and its decision shall be final

"Fund" the county employes' retirement fund created by this act

"Accumulated Deductions" the total of the amounts deducted from the salary of a contributor and paid into the fund created by this act and standing to the credit of the members annuity reserve account together with the regular interest thereon

"Contributor" any person who has accumulated deductions in the fund created by this act standing to the credit of the members' annuity reserve account

"Beneficiary" any person in receipt of a retirement allowance under this act

"Prior Service" all service as a county employe served not later than December thirty-first preceding the year the retirement system shall be established in said county

"Original Member" a member who was a county employe on the date of establishment of the retirement system in said county or a county officer whose term of service began after the establishment of the retirement system and who had previously held an elective office in said county prior to the date of the establishment of the retirement system therein

"New Member" a member who shall have become a member of the retirement system after the date of establishment of the retirement system in said county except a county officer whose term of service began after the date of the establishment of the retirement system in said county and who had held an elective office therein prior to the date of the establishment of the retirement system in said county

"Superannuation Retirement Age" as applied to a contributor means sixty years of age or upwards

"Final Salary" the average annual salary received by a contributor for the five years of service immediately preceding retirement or in the event a member has not served five years the total salary received divided by the number of years served

"Regular Interest" interest at the rate of three nad one-half per centum compounded annually

"County Annuity" payments for life or during disability derived from contributions made by the county and the interest earnings thereof

"Member's Annuity" payments for life or during disability derived from contributions made by the contributor and the interest earnings thereof

"Retirement Allowance" the county annuity plus the member's annuity

Section 8 Compulsory Membership Each county officer may and each county employe shall be required to become a member of the retirement system established under the provisions of this act at such date as may be specified in the resolution establishing the retirement system and thereafter when first becoming a county employe Those becoming members on the date of establishment of the retirement system shall be known as original members and those becoming members after said date as new members Provided however That if any person becomes a county officer subsequent to the first Monday of January of the year the retirement fund was established who shall have been at any time theretofore serving in an elective county office he shall receive credit for the service prior to the first Monday of January of the year the system was established and shall be known as an original member

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geitz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahaney,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 293, as follows:

An Act to further amend clause (b) of section two thousand four hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) 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" by reducing the working week of the Capitol Police to five days

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

Section 1 Clause (b) of section two thousand four hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) 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 department 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" as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 2402 Grounds Buildings and Monuments in General The Department of Property and Supplies shall have the power and its duty shall be

\* \* \* \* \*

(b) To employ such captains sergeants of police and police officers as may be necessary to preserve good order in the Capitol grounds and building and fix their compensation and their hours of employment which shall not be spread over more than five days in any one week except in emergency Provided however That the number and compensation of such captains sergeants and officers shall be subject to the approval of the Governor Such captains sergeants and officers shall be known as the Capitol Police

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

**YEAS—50**

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
DiSilvestro,	Leader,	Scarlett,	Watson,
Diehm,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

**NAYS—0**

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**BILLS OVER IN ORDER**

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 312, on third reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) 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 board 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" creating the State Board of Chiropractic Examiners and defining its powers and duties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 313, on third reading, entitled:

An Act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners providing for the granting suspension and revocation of licenses issued by the board conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

**BILLS ON THIRD READING AND FINAL PASSAGE**

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 320, as follows:

An Act to amend section one of the act approved the third day of April one thousand nine hundred twenty-nine (P. L. 127) entitled "An act fixing the fees of the recorder of deeds in counties of the third and fourth class" changing said fees

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

Section 1 Section one of the act approved the third day of April one thousand nine hundred twenty-nine (P. L. 127) entitled "An act fixing the fees of the recorder of deeds in counties of the third and fourth class" is hereby amended to read as follows

Section 1 Be it enacted &c That the fees of the recorder of deeds in counties of the third and fourth classes shall be as follows

For recording and exemplifying deeds mortgages and other writing for every [fivel four words one cent (1c) The minimum rate for recording same shall be [twol three dollars and fifty cents (\$3.50)

For indexing deeds mortgages and other writings with [more] less than four names no charge [fifteen cents extra] for each additional name twenty cents (20c) extra

For abstracting first description or parcel of land [twenty] twenty-five cents (25c) for each additional description or parcel of land [fifteen] twenty-five cents (25c) extra

For entering satisfaction [fifty] on margin of record of mortgage seventy-five cents (75c)

For noting assignments of mortgages releases of mortgages and agreements on mortgages twenty-five cents (25c) for first and twenty-five cents (25c) for each additional notation

[For taking acknowledgments for each person twenty-five cents]

For certifying deeds mortgages assignments and satisfaction of record to county commissioners fifty cents (50c)

For recorder's certificate and seal of office fifty cents (50c)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

- Barr, Barrett, Berger, Blass, Chapman, Crowe, Dent, Diehm, DiSilvestro, Doehla, Donlan, Farrell, Frazier, Geltz, Haluska, Hare, Holland, Homsher, Kephart, Lane, Leader, Letzler, Lord, Mahany, Mallery, McPherson, Jr., Meade, Neff, Pechan, Peelor, Robinson, Rosenfeld, Ruth, Scarlett, Snowden, Stiefel, Tallman, Tarr, Taylor, Toole, Wade, Wagner, Walker, Watkins, Watson, Wolfe, Wood, L. H., Wood, T. N., Yosko

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 364, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire on behalf of the Commonwealth certain land at the recognized site of William Penn's first landing in Pennsylvania in the city of Chester Delaware County as a historical site providing for the control management supervision improvement and maintenance thereof authorizing the Pennsylvania Historical and Museum Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

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

Section 1 The Department of Property and Supplies is hereby authorized to acquire by purchase or gift on

behalf of the Commonwealth approximately five (5) acres of land at and surrounding the recognized site of William Penn's first landing in Pennsylvania at Front and Penn Streets in the city of Chester Delaware County The exact amount and location of the land to be acquired shall be determined by the Pennsylvania Historical and Museum Commission

Section 2 The Pennsylvania Historical and Museum Commission after said property has been acquired shall clear said property of all buildings structures and waste materials and shall grade and improve the same and shall provide for the maintenance of a suitable park providing a setting for this historical shrine

The Pennsylvania Historical and Museum Commission after said property has been acquired shall make and enforce the rules and regulations for the preservation visitation and maintenance thereof

Section 3 The sum of thirty thousand dollars (\$30,000) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the acquisition of the site hereinbefore referred to and for the clearing grading and improvement of said land

The sum of five thousand dollars (\$5000) or as much thereof as may be necessary is hereby appropriated to the Pennsylvania Historical and Museum Commission for the two fiscal years beginning the first day of June one thousand nine hundred forty-nine for the purpose of maintenance of such site

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

- Barr, Barrett, Berger, Blass, Chapman, Crowe, Dent, Diehm, DiSilvestro, Doehla, Donlan, Farrell, Frazier, Geltz, Haluska, Hare, Holland, Homsher, Kephart, Lane, Leader, Letzler, Lord, Mahany, Mallery, McPherson, Jr., Meade, Neff, Pechan, Peelor, Robinson, Rosenfeld, Ruth, Scarlett, Snowden, Stiefel, Tallman, Tarr, Taylor, Toole, Wade, Wagner, Walker, Watkins, Watson, Wolfe, Wood, L. H., Wood, T. N., Yosko

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 394, on third reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the fiscal year and the date for meetings budgets taxation audits and reports changing the compensation of supervisors and auditors increasing compensation for attending conventions of county associations changing permissible payments to secretaries of county associations and payments of dues by townships to state associations and the expense allow-

ance of delegates providing for appointment of police authorizing police pension annuities to widen deepen and embank water-courses to employ township managers and certified public accountants to regulate the election of supervisors in certain cases providing for the levy of taxes for fire protection services changing the definition of volunteer firemen for workmen's compensation insurance purposes the method of advertising for bids the limitation on taxes for fire hydrant purposes the requirements for street and road improvements and the vote of supervisors required for zoning changes and clarifying and revising certain provisions of said act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 438, as follows:

An Act to encourage the suitable useful continual and gainful employment of service disabled veterans through the creation and administration of the Service Disabled Veterans Employment Disability Trust providing for its administration by the Workmen's Compensation Board and payments therefrom in cases of additional disability through accidents in employment and making an appropriation

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

Section 1 Declaration of Policy and Legislative Intent As a guide to the interpretation of this act the policy and intent of the Legislature is declared to be that (a) this Commonwealth and its people have and should bear the direct responsibility of providing the opportunity for and facilitating the suitable gainful employment of all of its service disabled veterans (b) every veteran in this Commonwealth who is able to work for a living is entitled to a reasonable opportunity to maintain his independence and self-respect through self-support even though he is handicapped by a service connected compensable disability (c) any plan which will reasonably equitably and feasibly operate to break down hinderances and remove obstacles to the employment of service disabled veterans is of vital importance to the Commonwealth and its people (d) it is the considered judgment of this Legislature that the system embodied in this act which makes a logical and equitable adjustment of the liability which the Commonwealth must assume constitutes a practicable and reasonable approach to a solution of the problem for the employment of service disabled veterans

Section 2 Definitions The following words and phrases shall have the meaning ascribed to them in this section unless the context clearly requires otherwise

(a) "Service Disabled Veteran" shall mean a person who has a service connected compensable disability as certified to by the Veterans Administration of the United States

(b) "Previous Disability" shall mean the service connected compensable disability of a service disabled veteran

(c) "Additional Disability" shall mean any physical or mental condition including the aggravation of a previous disability which (1) arises out of or in the course of employment and (2) substantially hinders the full and normal functioning of the body or any part thereof

(d) "Consequent Increased Disability" shall mean the degree by which an additional disability by reason of its combination with a previous disability is greater than that which would have resulted from the additional disability alone

(e) "Board" shall mean the Workmen's Compensation Board of the Commonwealth

Section 3 Trust Created Administration (a) There is

hereby created the Service Disabled Veterans Employment Disability Trust for the purpose of paying to disabled veterans for additional disability or consequent increased disability compensation payments under the provisions of this act The sum of one hundred thousand dollars (\$100,000) is hereby appropriated to the Department of Labor and Industry for compensation payable by the Commonwealth under this act for the biennium 1949-1951

(b) The Department of Labor and Industry shall be charged with the conservation of the assets of said appropriation and the Workmen's Compensation Board is hereby authorized and directed to administer the provisions of this act and to promulgate such rules and regulations as may be necessary to so administer the same

(c) The Department of Labor and Industry is hereby authorized to receive and credit to said trust any sum or sums that may at any time be granted given bequeathed or otherwise contributed to the Commonwealth from any source whatsoever for the purpose for which the said trust is established

Section 4 Operation of the Trust (a) The liability of an employer of a service disabled veteran or the liability of the employer's insurance carrier shall be limited to the liability imposed upon him or under the provisions of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) as reenacted and amended by the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1552) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties"

(b) When a service disabled veteran incurs an additional disability or a consequent increased disability which is not compensable under the provisions of the aforementioned act compensation for such additional disability or consequent increased disability shall be payable from the Trust

(c) The employer or insurance carrier shall in the first instance pay to the service disabled veteran any benefits due under this act but such employer or insurance carrier shall thereupon be entitled to reimbursement from the said Trust for all payments for additional or consequent increased disability compensable under this act

(d) In the event that liability of said Trust arises under circumstances creating a liability upon any person other than the employer of the service disabled veteran said trust shall share ratably with any other person and shall be subrogated to all rights and remedies of the service disabled veteran

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr.	Geltz.	Meade.	Tarr.
Barrett,	Haluska,	Neff.	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland.	Peelor,	Wade,
Chapman.	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm.	Leader,	Scarlett,	Watson,
DiSilvestro.	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan.	Mahany,	Stiefel.	Wood, T. N.,
Farrell.	Mallery.	Tallman,	Yosko.
Frazier.	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 438, as follows:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by requiring such townships to establish police pension funds in certain cases and permitting private police pension funds in such townships to elect to transfer their funds to townships police pension funds

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

Section 1 Section one thousand four hundred nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 1409 Establishment of Police Pension Fund Management Townships [may] shall unless there is a private organization or association constituting and managing an existing pension fund for the members of the police force in any such township by ordinance establish a police pension fund to be maintained by an equal percentage charge against each member of the police force not exceeding annually four per centum of the pay of such member [The fund] All pension funds established under the provisions of this section shall be under the direction of the township commissioners or such committee as they may designate and shall be applied under such regulations as the commissioners may by ordinance prescribe for the benefit of such members of the police force as shall receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service Any allowances made to those who are retired by reason of disability or age shall be in conformity with a uniform scale

Section 2 Said act is hereby amended by adding immediately following section one thousand four hundred nine thereof a new section to read as follows

Section 1409.1 Private Police Pension Funds Optional Transfers

(a) Where there is a private organization or association constituting and managing an existing pension fund for the members of the police force in any township such township shall establish a police pension fund under the provisions of this act if the membership of such organization or association by a two-thirds vote elects to transfer its funds with all its assets and liabilities into a township police pension fund as required to be established by this act

(b) Whenever such a private organization or association managing an existing police pension fund for the members of the police force in any township elects by a two-thirds vote to transfer its funds into the pension fund required to be established by this act all the assets and liabilities of such existing fund shall be so transferred Such transfer may be made by the transfer of securities After such transfer the township police pension fund shall assume the liability of continuing the payment of pensions to members of the police force retired prior to such transfer in accordance with the laws and regulations under which such members were retired

And said bill having been read at length the third time, and agreed to,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 448, as follows:

An Act relating to police pension funds in boroughs towns and townships and authorizing such political subdivisions to appropriate monies thereto

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

Section 1 Each borough town and township may annually appropriate and pay into the police pension fund established by such political subdivision or which is by ordinance or resolution designated as the recognized police pension fund for such political subdivision a sum of money which together with the monies paid into such police pension fund according to existing law and practices will be sufficient to meet the requirements of and to maintain such police pension fund

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall become effective the first day of January one thousand nine hundred fifty

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 460, on third reading, entitled:

An Act to reenact amend and revise the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 480, as follows:

An Act to amend section one of the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 765) entitled "An act fixing the fees of the recorder of deeds in counties of the sixth seventh and eighth class" by clarifying the provisions relating to the payment by the county commissioners of certain fees for services rendered by the recorder of deeds

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

Section 1 Section one of the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 765) entitled "An act fixing the fees of the recorder of deeds in counties of the sixth seventh and eighth class" is hereby amended to read as follows

Section 1 The fees of the recorder of deeds in counties of the sixth seventh and eighth class shall be as follows

For recording and exemplifying deeds mortgages and other writings for every five words one cent The minimum rate for recording same shall be two dollars and fifty cents

For indexing deeds mortgages and other writings with more than four names fifteen cents extra for each additional name

For abstracting first description or parcel of land twenty cents for each additional description or parcel fifteen cents extra

For entering satisfactions assignments partial payments releases extensions and postponements on margin of mortgage record fifty cents

For taking acknowledgments fifty cents for first name and twenty-five cents for each additional name

For certifying [deeds] monthly report of mortgages assignments and satisfaction of record to county commissioners [fifty-cents] as required by the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for state and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for state purposes" two dollars and fifty cents (\$2.50) to be paid by the county

The fee for services not herein specifically provided for shall be the same as for similar services

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peolor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 517, as follows:

An Act to further amend clause three of section thirteen of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes of such additional monies as may be necessary to carry out the provisions of this act" by cancelling age requirement and changing length of service necessary to receive a pension

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

Section 1 Clause (3) of section thirteen of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" as amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 919) is hereby further amended to read as follows

Section 13 Members of the fund shall be eligible to receive pensions from said fund as follows

(3) Any member who has become a member of this fund under the provisions of sub-section (1) of section eight hereof or who has been admitted to membership under the provisions of sub-section (2) or sub-section (3) of section eight hereof more than sixty days after the effective date of this act shall be entitled to receive a pension



fund from said fund upon written application of such member stating his desire to withdraw from service in said city or that his employment by the said city has been terminated and showing that such member has attained the age of [fifty-five] fifty years and has rendered at least [twenty-five years'] twenty years' continuous service to the said city at least one year of which was immediately prior to his application but need not have been otherwise continuous service Such service shall total twenty-five years and shall include service in the armed forces of the United States in times of war

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 549, as follows:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system

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

Section 1 Sections one two and three of the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of roads from the State highway system and providing for their future maintenance and construction" are hereby amended by adding certain additional roads to be removed from the State highway system to read as follows

Section 1 The following described roads which were added to the State highway system under the provisions of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 409) entitled "An act authorizing the Secretary of Highways to join two or more State highway routes by the construction of connecting roads under certain conditions and providing for the payment of damages for land taken in the construction of such connecting roads" or under the provisions of Section 217 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) known

as the "State Highway Law" and which have been numbered by the Secretary of Highways as indicated are hereby removed from the said system

## City of Pittsburgh

The section of road in the City of Pittsburgh Allegheny County designated in the records of the Department of Highways as Route 246 Spur "E" beginning at a point on Route 70 at Galveston and Ridge Avenues thence westerly a distance of about .13 of a mile

The section of road in Bethel Township Armstrong County identified in the records of the Department of Highways as Route 03087 spur E extending easterly from 705 a distance of about .23 of a mile

The section of road in Wayne Township Armstrong County identified in the records of the Department of Highways as Route 03087 spur E extending easterly from 03087 a distance of about .07 of a mile the section of road identified in the records of the Department of Highways as Route 40064 spur E beginning at a point on Route 361 near Meeker and extending northwesterly in Lebanon Township Luzerne County a distance of about 0.19 of a mile

Section 2 The following described roads or sections of road which were added to the State highway system under the provisions of the act approved the third day of June one thousand nine hundred thirty-three (P. L. 1514) entitled "An act establishing as State highways certain condemned or abandoned turnpikes and turnpikes the companies or associations owning which have been dissolved and requiring their construction repair and maintenance as such" and which have been numbered by the Secretary of Highways as indicated are hereby removed from the said system the section of the former Milesburg and Smethport Turnpike identified in the records of the Department of Highways as Route 865 extending from Route 411 at Caledonia to the Clearfield County line in Jay Township Elk County a distance of about 3.69 miles

The section of the former Spruce Creek and Phillipsburg Turnpike presently identified as State Highways Route 867 beginning at a point on Route 346 about one mile south of the Franklin-Spruce Creek Township line thence northerly in Spruce Creek Township Huntingdon County a distance of about 1.81 miles

The section of the former Bridgewater and Wilkes-Barre Turnpike road presently identified as State Highway Route 842 beginning at a point on Route 57138 thence southeasterly to a point on Route 57078 in Bridgewater Township Susquehanna County a distance of about 1.12 miles

Section 2 On or after the effective date of this act the roads herein described shall be maintained constructed and reconstructed by the authorities of the township borough incorporated town or city in which they are located

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 550, as follows:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes

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

Section 1 The following routes established by section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" and its amendments are hereby deleted as indicated or amended to read as follows

Route 03095 [extending Route 03095] beginning at a point on [the Dayton Borough-Wayne Township line] Route 03087 at Milton Street thence in a westerly direction on Main Street to an intersection with Route 534 at Main and State Streets in the Borough of Dayton Armstrong County a distance of about [.5] .38 of a mile

Application 3955 beginning at a point on South Heights Borough-Hopewell Township line thence in a southerly direction on North Jordan Street to [an intersection with the continuation of State highway route] a point on the Beaver-Allegheny County line in the Borough of South Heights Beaver County a distance of about [.3] .8 of a mile

[Route 04089 extending Route 04039 beginning at a point on the Ambridge Borough-Hammony Township line thence over Wilson Avenue and Glenwood Road to an intersection with Route 641 at Glenwood Road and Duss Avenue in Ambridge Borough Beaver County a distance of about 0.6 of a mile]

[Route 07013 extending Route 07013 beginning at a point on the South Williamsburg Borough-Woodbury Township line thence in a northwesterly direction on Second Street thence in a northeasterly direction on High Street to an intersection with Route 260 at High and Front Streets in the Borough of Williamsburg Blair County a distance of about .45 of a mile]

[Route 07014 extending Route 07014 beginning at a point on the South Duncansville Borough-Blair Township line thence in a northerly direction on Seventh Street to an intersection with Route 53 at Seventh Street and third Avenue in the Borough of Duncansville Blair County a distance of about .11 of a mile]

[Route 53106 Extending Route 53106 beginning at a point on the West Mahanoy Township-Frackville Borough line about 0.1 of a mile west of Route 161 thence in a southerly direction to a point on Route 161 about 300 feet east of the Frackville underpass in the Borough of Frackville Schuylkill County a distance of about 0.1 of a mile]

[Route 53106 Extending Route 53106 beginning at a point on the West Mahanoy Township-Gilberton Borough line about 0.1 of a mile west of Route 161 thence in a northerly direction to a point on Route 161 about 0.9 of a mile west of the intersection of Route 161 and Route 290 spur in the Borough of Gilberton Schuylkill County a distance of about 0.7 of a mile]

Route 64235 Extending Route 64235 beginning at a point

on the Derry Township-Latrobe Borough line at Station Street thence over [Harrison Avenue and Ligonier Street] Lincoln Avenue to a point on Route 480 at [Ligonier] Lincoln Avenue and Depot [Streets] Street in the Borough of Latrobe Westmoreland County a distance of about [1 mile] 1.2 miles

Section 2 Said act is hereby further amended by adding thereto the following new routes

## Eden Park Borough

Route 392 Extending Route 392 beginning at a point on the south line of the City of McKeesport at 37th Street thence southerly over Walnut Street to a point on Route 288 in the Borough of Eden Park Allegheny County a distance of .2 of a mile

## Brisbin Borough

Route 17135 extending Route 17135 beginning at a point on the south line of Brisbin Borough thence over a borough street to a point of intersection with Routes 670 and 17048 in the borough of Brisbin Clearfield County a distance of about .5 of a mile

## Osceola Mills Borough

Route 17136 Extending Route 17136 beginning at a point on the west line of Osceola Mills Borough at Curtain Street thence over Curtain Street French Street and Coal Street to a point on the Decatur Township-Osceola Mills Borough line in the borough of Osceola Mills Clearfield County a distance of about .23 of a mile

## Mechanicsburg Borough

Route 21097 Extending Route 21097 beginning at a point on the west line of Mechanicsburg Borough at Simpson Street thence easterly over Simpson Street to a point of intersection with Route 416 at Simpson and Market Streets in the Borough of Mechanicsburg Cumberland County a distance of about .75 of a mile

## Brookville Borough

Route 33090 Beginning at a point on Route 60 at the Brookville Borough-Pine Creek Township line thence sautherly to an intersection with Hiawatha Street in Brookville Borough Jefferson County a distance of about 0.6 of a mile

## Clarks Summit Borough

Route 35069 Beginning at the Intersection of Route 9 and Route 365 spur thence southerly over Grove Street to a point on Route 671 in the Borough of Clarks-Summit Lackawanna County a distance of about 1.1 miles

## White Haven Borough

Route 40118 Extending Route 40118 beginning at a point on the south line of White Haven Borough thence northerly on Church Street to Route 40040 at Berwick Street in the Borough of White Haven Luzerne County a distance of about 0.97 of a mile

## Mercer Borough

Route 43017 Spur beginning at a point on Route 43017 at Diamond and Pittsburgh Streets thence over Diamond Street to Route 246 at Erie Street in the Borough of Mercer Mercer County a distance of about .08 of a mile

## Stoneboro Borough

Route 43052 Spur beginning at a point on Route 208 on Mine Street thence northerly to a point on Route 43052 in the Borough of Stoneboro Mercer County a distance of about 0.6 of a mile

## West Middlesex Borough

Route 43109 Extending Route 43109 beginning on the Shenango Township line thence easterly to a point on Route 238 Spur B in the Borough of West Middlesex Mercer County a distance of about .36 of a mile

Danville Borough

Route 47040 Extending Route 47040 beginning at a point on the east line of Danville Borough and extending over Spruce Street and Cherry Street to the intersection of Route 3 in the Borough of Danville Montour County a distance of 0.27 miles

Wind Gap Borough

Route 48101 Extending Route 48101 beginning at a point on the westerly line of Wind Gap Borough thence easterly over a borough street to an intersection with Route 166 a distance of about 0.5 of a mile

Schuylkill Haven and Cressona Boroughs

Route 53116 Beginning on Route 140 at the intersection of Columbia and Berne Streets thence over Berne Schuylkill and Front Streets to a point on Route 417 at Chestnut Street in the Boroughs of Schuylkill Haven and Cressona Schuylkill County a distance of about 1.4 miles

Girardville Borough

Route 53118 Extending Route 53118 beginning at a point on the east line of Girardville Borough thence northwesterly over a borough street to a point on Route 290 in the borough of Girardville Schuylkill County a distance of about .3 of a mile

Selinsgrove Borough

Route 54070 Beginning at a point on Route 194 at the intersection of Pine and Market Streets thence easterly on Pine Street to the intersection of Pine and Front Streets in the Borough of Selinsgrove Snyder County a distance of about .47 of a mile

Blossburg Borough

Route 58115 Extending Route 58115 beginning at a point on the south line of Blossburg Borough thence north-easterly on a borough street to an intersection with application 7412 in the Borough of Blossburg Tioga County a distance of about 1.3 miles.

Stockdale Borough

Route 62195 Extending Route 62195 beginning at the Allenport-Stockdale Borough line thence over Railroad and Locust Streets to a point on Route 268 in the borough of Stockdale Washington County a distance of about 0.65 of a mile

Section 3 This act shall become effective on the first day of January one thousand nine hundred fifty

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr.	Geltz.	Meade.	Tarr.
Barrett,	Haluska,	Neff,	Taylor,
Berger.	Hare.	Pechan,	Toole,
Blass.	Holland.	Peelor.	Wade,
Chapman,	Homsher.	Robinson,	Wagner,
Crowe.	Kephart.	Rosenfeld,	Walker,
Dent.	Lane.	Ruth,	Watkins,
Diehm.	Leader.	Scarlett,	Watson,
DiSilvestro.	Letzler.	Snowden,	Wolfe,
Doehla.	Lord.	Stevenson.	Wood, L. H.,
Donlan.	Mahany.	Stiefel.	Wood, T. N.,
Farrell.	Mallery.	Tallman,	Yosko,
Frazier.	McPherson, Jr.		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 551, as follows:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes

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

Section 1 The following routes established by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" and its amendments are hereby deleted as indicated or amended to read as follows

[Route 02231 Beginning at a point on the Lebanon Church Road near its intersection with Route 376 thence northwesterly through Mifflin Township to a point on Route 02229 in Allegheny County a distance of about 1.1 miles]

Route 03052 Beginning at a point on Route [705 at T A Heilman's thence northeasterly in Bethel Township to a point on the Bethel-Burrell Township line at Tunnelville thence southeasterly in Burrell Township past Riggle School and Myers' Crossroads to] 03050 at Brick Church thence northwesterly in Burrell Township in Armstrong County a distance of about [5.5] 3.05 miles

Route 03060 Beginning at Shay southeasterly in Kittanning Township through the village of Rockville to Pyrra thence northeasterly to a point on the Kittanning-Plum Creek Township line and continuing northeasterly in Plum Creek Township to an intersection with Route 67 [at] north of Whitesburg in Armstrong County a distance of about [4.7] 4.95 miles

[Route 03064 Beginning at McCaslin's Crossroads on the Green Oak-Sagamore Road thence northerly in Cowanshannock Township to a point on Route 189 at Shannock Park in Armstrong County a distance of about 2.1 miles]

Route 03091 Beginning at Route [67 near] 03137 north of Blanket Hill and running in [a northeasterly and] an easterly direction in Kittanning Township to a point on the Kittanning-Cowanshannock Township line thence easterly in Cowanshannock Township to an intersection at Sipe's Schoolhouse about .25 of a mile north of Margaret in Armstrong County a distance of about [5.6] 2.89 miles

[Route 03095 Beginning at a point on Main Street at the eastern borough line of Dayton Borough thence easterly through Wayne Township to connect with Route 32116

on the Armstrong-Indiana County line in Armstrong County a distance of about .7 of a mile]

[Route 03135 Beginning at a point on Route 378 in the Village of Cadogan thence in a westerly direction through Cadogan and South Buffalo Townships to a point on Route 03009 in Armstrong County a distance of about 0.95 of a mile]

[Route 04089 Beginning at the Ambridge Borough-Harmony Township line about 0.25 of a mile north of the Allegheny-Beaver County line and extending in a northeasterly and northerly direction through Harmony Township to a point on Route 04011 about 0.1 of a mile west of the Economy-Harmony Township line in Beaver County a distance of about 1.2 miles]

Route 07002 Beginning at a point on Route 07049 about .75 of a mile east of Cambria County line thence south in Juniata and Greenfield Townships to a road intersection at a church about one mile southeast of Bob's Run thence northeasterly to the southern terminus of Route 07038 approximately one and one-quarter miles south of the village of Blue Knob thence easterly to the village of Fredericksburg thence southeasterly along Poplar Run to a point on Route 47 in the village of Claysburg in Blair County a distance of about [7.8] 12.3 miles

Route 07008 Beginning at a point on Route [734 approximately four miles north of the borough line of Martinsburg in Huston Township Blair County thence northeasterly through Huston Township to] 07009 at the village of Shantytown thence easterly in Huston Township to a road intersection in the village of Drab in Blair County a distance of about [3.6 miles] .73 of a mile

Route 07012 Beginning at a point on [the south borough line of Hollidaysburg on the Beaverdam Branch in Blair Township Blair County thence southeasterly through Blair Township to the village of Loop thence southeasterly to a point on the Blair-Franklintown Township line on the Frankstown Branch of the Juniata River] Route 07011 east of the Village of Loop thence southeasterly through Frankstown Township to a road intersection at a church approximately one-eighth of a mile east of Oldtown Run in Blair County a distance of about [5.2] 2.1 miles

[Route 07013 Beginning at a point on the southern borough line of Williamsburg Woodbury Township Blair County thence southerly through Woodbury Township to a road intersection approximately at Clover Creek thence northeasterly to the village of Calcite thence northerly to the village of Fisherville thence northerly to an intersection with Route 07039 in Blair County a distance of about 5.8 miles]

Route 07014 Beginning at a point on [the southern borough line of Dunicansville in Blair Township Blair County thence southeasterly through Blair Township to a road intersection] Route 884 south of New Portage thence northeasterly to a point on the western borough line of Hollidaysburg in Blair County a distance of about [1.9] 1.1 miles

[Route 08140 Beginning at a point on Route 08049 about 1.7 miles southeast of Soper Hollow thence in a general northeasterly direction through Columbia and Wells Townships to a point on Route 08050 at Corryland in Bradford County a distance of about 2.7 miles]

Route 08166 Beginning at a point on Route [08049 about 0.2 of a mile northwest of its intersection with Route 08140] 08046 at Austinville thence in a northerly [and easterly] direction through Columbia [Township] and Wells Townships to a point on Route [08140] 08116 about 1.2 miles [north] west of its intersection with Route [08049] 08050 in Bradford County a distance of about [1.6] 4.5 miles

Route 10103 Beginning at a point on Route 75 about 2.3 miles northeast of Hooker thence in a general easterly direction through Concord Township [to the Concord-Fairview Township line] in Butler County a distance of about [1.7 miles] .76 of a mile

[Route 10123 Beginning at a point on Route 10124 about 0.6 of a mile north of its intersection with Route 10070 thence in an easterly direction through Marion

Township to a point on Route 10063 about 0.6 of a mile north of the Village of Boyers in Butler County a distance of about 1.3 miles]

Route 12007 Beginning at a point on the Shippen Township-Emporium borough line at the South Broad Street bridge thence in a general southwesterly direction through Shippen Township to a road intersection in Cameron County a distance of about [6.7] 3.6 miles

Route 16035 Beginning at Winkler's Corners and running east through Beaver Township to a point on the dividing line between Beaver and Paint Townships thence northeast through Pain Township [past Wagner's Corners] to a point of intersection with Route [65 at top of Clarion Hill] 16036 in Clarion County being a distance of about [3.0] 1.17 miles

[Route 16075 Beginning at a point on Route 64 about 0.1 of a mile east of the intersection of Routes 64 and 552 thence in a northeasterly direction through Clarion Township to a road intersection in Clarion County a distance of about 1.0 mile]

[Route 16068 Beginning at a point on Route 16030 about 0.5 of a mile southwest of the Licking-Piney township line thence in a southerly direction through Licking Township to a point on Route 311 about 0.5 of a mile west of the Sligo Borough Line in Clarion County a distance of about 1.4 miles]

Route 16080 Beginning at a point on Route 16055 at Fisher thence in a southwesterly direction through Millcreek Township to a road intersection [about 1.2 miles northwest of Mill Creek] in Clarion County a distance of about [2.5 miles] .4 of a mile

[Route 16085 Beginning at a point on Route 16066 about 0.7 of a mile west of St Petersburg Borough thence in a northwesterly direction through Richland Township to a point on Route 75 about 1.0 mile east of Emlenton Borough in Clarion County a distance of about 1.7 miles]

[Route 16086 Beginning at a point on Route 16017 near Black Fox School thence northerly and northwesterly through Perry Township to a point on Route 16015 about 0.1 of a mile southwest of Route 16063 in Clarion County a distance of about 2.1 miles]

[Route 16093 Beginning at a point on Route 214 about 0.6 of a mile east of Sligo Borough thence in a northerly direction through Piney Township to a point on Route 16032 about 0.1 of a mile south of Route 16069 in Clarion County a distance of about 1.9 miles]

Route 17016 Beginning on Route 59 near Salem thence in a northerly and northwesterly direction through Brady and Sandy Townships to a point on Route 402 [near] west of Oklahoma in Clearfield County a distance of about [3.25] 3.6 miles

[Route 17023 Beginning on Route 234 at the north line of Irvona Borough thence north through Beccaria and Jordan Townships to the county road in Clearfield County a distance of about 2.4 miles]

Route 17024 Beginning at a point on Route [17021] 857 about one mile south of Ansonville thence in a southeastwardly direction through Jordan Township to a point on Route 17036 near McCartney in Clearfield County a distance of about [3.8] 2.76 miles

[Route 17073 Beginning at a point on the county road at the western end of the Village of Rockton in Union Township thence northwesterly parallel to Lick Creek to the intersection of Route 17030 at Smith Mills in Clearfield County a distance of about 2.1 miles]

Route 17084 Beginning at a point on Route [17083] 862 about [4.] .6 of a mile west of Route 17041 thence westerly southerly and easterly through Lawrence Township by way of Mount Zion School to the Lawrence Township-Clearfield Borough line at Martin Street in Clearfield County a distance of about [4.6] 3.7 miles

Route 17096 Beginning at a point on Route [17073 about 0.5 of a mile northwest of its intersection with Route] 862 [;] west of Rockton thence extending in a westerly and northwesterly direction through Union Brady and Sandy Townships to a point on Route 17030 about 1.2 miles south-

west of its intersection with Route 17091 in Clearfield County a distance of about [4.1] 4.6 miles

[Route 17100 Beginning at a point on Route 569 about 1.4 miles north of the Penn-Bloom Township line thence extending in a southwesterly and northwesterly direction by way of Goffe School through Bloom Township to a road intersection about 0.5 of a mile south of Route 59 in Clearfield County a distance of about 1.30 miles]

[Route 17102 Beginning at a point on Route 857 about 1.0 mile east of the Glen Hope Borough line thence in a northerly and easterly direction through Beccaria Township to a point on the Beccaria-Bigler Township line in Clearfield County a distance of about 1.0 mile]

[Route 17118 Beginning at a point on Route 17072 near the DuBois City line thence in an easterly direction through Sandy Township to a point on Route 17016 near the Brooks School in Clearfield County a distance of about 1.6 miles]

Route 17126 Beginning at a point on Route 17052 at the Village of Lecontes Mills thence in a general northwesterly direction through Girard Township and southerly in Goshen Township by way of Eden to a [road intersection 1.5 miles northwest of the Village of Gillingham] point on Route 17052 at Shawville in Clearfield County a distance of about [5.4] 9.2 miles

Route 21014 Beginning at a point [in Lower Allen Township intersecting Route 416] on the Cumberland-York County line about .5 of a mile [west] south of Lisburn thence through Upper and Lower Allen Township to a point intersecting Route 21023 about .5 of a mile south of Eberly's Mill in Cumberland County a distance of about [5] 5.45 miles

[Route 21078 Beginning at a point on Route 21015 about 1.5 miles north of Route 708 thence easterly and northerly along Conodoquinet Creek through East Pennsboro Township to a point on application 231 in Cumberland County a distance of about 1.6 miles]

Route 23041 Beginning at a point on Darby Road in Radnor Township and extending in an easterly direction through Radnor Township to the Village of Ithan thence continuing through Radnor Township in a northerly direction [intersecting with routes] to an intersection with Route 577 [and 142] beginning again at a point on Route 142 about .7 of a mile north of Ithan thence northeasterly and northerly in Radnor Township to a point on the boundary line between Delaware and Chester Counties in Delaware County a distance of about [3.9] 3.3 miles

[Route 25003 Beginning at the Ohio State Line 1.25 miles north of Conneaut Creek being the underridge road thence easterly in Springfield Township via Gould School and Armstrong Corner to a point on Route 85 near Five Corners about one mile southeast of West Springfield in Erie County a distance of about 3.4 miles]

Route 25012 Beginning at a point on the Crane Road at Cobbs Corners thence north in Elk Creek Township approximately parallel to Little Elk Creek via Fillinger School to a point on the south line of Girard Township thence north to a point on [the old state road at Millers Corners about one mile east of the east line of Platea Borough] Route 25014 near Little Elk Corners in Erie County a distance of about [2.9] 4.1 miles

[Route 25078 Beginning at Egley Corners in Springfield Township and running in a general westerly direction in Springfield Township to the Ohio State Line in Erie County a distance of about 3.0 miles]

[Route 28056 Beginning at a point on Route 606 about 0.3 of a mile west of Smoketown and extending in an easterly direction through Greene Township by the way of Smoketown to a point on Route 28019 about 0.3 of a mile south of the intersection of Routes 28019 and 28009 at Sharps School in Franklin County a distance of about 1.25 miles]

[Route 28076 Beginning at a point on Route 36 about 0.1 of a mile south of Route 28033 thence in a southeasterly direction through Guilford Township to a point on Route 28020 about 1.0 mile northeast of Application 230 in Franklin County a distance of about 1.1 miles]

[Route 30121 Beginning at a point on Route 30048 about 0.5 miles west of the intersection on Route 30048 and Route 109 thence in a northwesterly direction through Morris Township to a point on Route 30070 about 2 miles south of Beulah Church in Greene County a distance of about 2.4 miles]

Route 32019 Beginning at a point on Route [233 approximately .5 of a mile west of the Village of Clyde in West Wheatfield Township Indiana County] 32018 South of Heshbon thence northwesterly through West Wheatfield Township to a point on the West Wheatfield-Brush Valley Township line in the Village of Heshbon thence northeasterly through Bursh Valley Township to a point on Route 337 in the Village of Mechanicsburg thence northeasterly to the Village of Rice thence northeasterly to a point on the Brush Valley-Cherryhill Township line thence northeasterly through Cherryhill Township to a point on Route 301 approximately .5 of a mile northwest of the Village of Kellers Mill in Indiana County a distance of about [13.1] 11.36 miles

[Route 32029 Beginning at a point on Route 32021 about .5 of a mile northeast of Uherum thence northerly through Buffington Township to an intersection with Route 32027 approximately 2.0 miles south of the Buffington-Pine Township line in Indiana County a distance of about 2.0 miles]

Route 32082 Beginning at a point on Route 63 approximately 1.75 miles southwest of Marion Center Borough in Rayne Township Indiana County thence northerly through Rayne Township to a point on the Rayne-East Mahoning Township line thence northerly and easterly through East Mahoning Township to a [road intersection approximately one mile west of the village of Hamill] point on Route 32081 at Georgeville in Indiana County a distance of about [4] 7.2 miles

[Route 32093 Beginning at a road intersection on the East Mahoning-Grant Township line approximately two miles northwest of the village of Deckers Point in Grant Township Indiana County thence northerly through Grant Township to a point on the Grant Township to a point on the Grant-East Mahoning Township line thence northwesterly through East Mahoning Township to a road intersection 1.5 miles southwest of the Village of Rochester Mills in Indiana County a distance of about 1.2 miles]

[Route 32095 Beginning at a road intersection in the Village of Nashville in Grant Township Indiana County thence easterly through Grant Township to a point on the Grant-Montgomery Township line thence southeasterly through Montgomery Township to a road intersection in the Village of Gorman Summit in Indiana County a distance of about 2.7 miles]

[Route 32116 Beginning at a point on Route 32111 at Goodville thence westerly through West Mahoning Township to connect with Route 03095 on the Indiana-Armstrong County line in Indiana County a distance of about 1.0 mile]

[Route 32122 Beginning at a point on Route 32075 about 0.8 of a mile south of the East Mahoning-Rayne Township line thence in a northwesterly direction through Rayne Township to a point on Route 63 about 0.2 of a mile southwest of its intersection with Route 32082 in Indiana County a distance of about 0.9 of a mile]

Route 32162 Beginning at point on [Route 32095 about 0.1 of a mile east of its intersection with] Route 32077 near Nashville thence in a southeasterly and northeasterly direction through Grant and Montgomery Townships to a point on [Route 32095 about 0.6 of a mile west of its intersection with] Route 32086 in Indiana County a distance of about [2.05] 2.63 miles

[Route 32170 Beginning at a point on Route 32039 about 1.0 mile northeast of Croft thence in a general southeasterly direction through Buffington Township to a point on Route 32027 near its intersection with Route 32029 in Indiana County a distance of about 2.5 miles]

Route 32171 Beginning on the south line of Jacksonville Borough thence southeasterly through Young and Black-

lick Townships to a point on Route 902 in Indiana County a distance of about [9 of a mile] 2.2 miles

Route 33001 Beginning at [the Armstrong County line north of the Indiana County line] a point on Route 33002 west of Porter thence northeast through Porter and Ringgold Townships to Dora thence northeast through Ringgold Township to intersect with Route 33016 in Oliver Township in Jefferson County a distance of about [9.55] 6.51 miles

Route 33014 Beginning on Route 64 in Roseville thence north through Union and Eldred [and Barnett] Townships [by way of Kaletown] to an intersection with Route [248] 33009 at Kaletown in [Barnett] Eldred Township in Jefferson County a distance of about [10.35] 6.76 miles

Route 33015 Beginning at Hamilton Station thence northward through Hamilton in Perry [township] and Oliver Townships to Route [357 at a point about 1.5 miles east of Grange] 33016 where it intersects Route 33018 in Jefferson County a distance of about [3.3] 6.45 miles

[Route 33073 Beginning at a point on Route 63 at McGarey thence in a northwesterly direction through Rose and Closer Townships to a point on Route 33011 at Content in Jefferson County a distance of about 2.7 miles]

[Route 33080 beginning at a point on Route 33011 near Ohl School thence northerly through Rose Township to a point on Route 33012 in Jefferson County a distance of about 1.9 miles]

[Route 33083 Beginning at a point on Route 60-Spur about 0.5 of a mile southeast of the village of Soldier thence in an easterly direction through Winslow Township to a point on Route 338 about 0.1 of a mile north of the borough of Sykesville in Jefferson County a distance of about 1.4 miles]

Route 34006 Beginning at a point in Spruce Hill Township intersecting Route 45 about one-fourth mile west of Spruce Hill thence northerly to a point intersecting Route 437 about one mile south of Academia thence from a point intersecting Route 437 at Academia easterly through Beale Milford and Turbett Townships to a point intersecting Route 45 about one mile southwest of Port Royal thence from a point intersecting Route 45 about three-fourth mile southwest of Port Royal through Turbett [and Walker Townships] Township to a point on Route 34029 beginning again at a point of intersection with Route 34048 on the north side of the Juniata River thence northerly in Walker Township via Mexico intersecting Route 31 to a point in Walker Township intersecting Route 637 about two and one-half miles west of Van Wert in Juniata County a distance of about [13.87] 13.69 miles

[Route 34043 Beginning at a point on Route 34005 about 0.5 of a mile southwest of McCullough's Mills thence in a southwesterly direction through Tuscarora Township along Willow Run to intersect with a road leading north over Shearer Ridge in Juniata County a distance of about 1.7 miles]

[Route 36141 Beginning at a point on Route 36018 about 0.3 of a mile northwest of its intersection with Route 36019 thence in a northeasterly direction through Little Britain and Colerain Townships to a point on Route 527 about 0.7 of a mile northwest of Octoraro Creek in Lancaster County a distance of about 2.4 miles]

[Route 40064 Beginning at a point on state highway Route 361 at Meeker in Lehman Township thence northwesterly through Lehman and Lake Townships intersecting Route 40065 thence northwesterly and westerly through Lake Township to a point where it intersects state highway Route 177 about .3 of a mile north of Route 369 in Lake Township in Luzerne County a distance of about 3.34 miles]

Route 40086 Beginning at a point on state highway Route 361 [at] near Meeker thence northerly to a point on the Lehman-Lake Township line thence northerly through Lake Township to a point on [the county road] Route 40123 at Outlet School in Luzerne County a distance of about [2] 2.1 miles

Route 40107 Beginning at a point on Route 177 at Ruggles thence southeasterly in Lake Township to a point on Route [40062] 40063 in Luzerne County a distance of about [0.4 of a mile] 1.2 miles

Route 40115 Beginning at a point on Route [40064 near Loyalville] 369 about one mile north of Pike's Creek thence northerly and northeasterly through Lake Township intersecting Route 40063 about 1.0 mile northwest of [by way of Outlet] to a point on Route 177 near Laketon in Luzerne County a distance of about [3.5] 4.26 miles

[Route 41127 Beginning at a point on Route 176 about 2.0 miles west of Oval thence northerly and easterly through Limestone and Bastress Townships to a point on Route 331 near Bastress in Lycoming County a distance of about 4.4 miles]

Route 42009 Beginning at a point on the Bradford city line thence southwest in Bradford Township to [Hazleton Mills] Route 42041 in McKean County a distance of about [5.01 miles] 0.83 of a mile

[Route 42038 Beginning at a point on state-aid application 500 about 1.5 miles west of the western Bradford City-Bradford Township line thence in a southwesterly and southeasterly direction through Bradford Township to a point on Route 42009 about 2.2 miles from the southwestern terminus of the said route in McKean County a distance of about 0.7 of a mile]

Route 43049 Beginning at State Route 208 just east of the overhead crossing of the Bessemer and Lake Erie Railroad and running north through Coolspring Township by way of Elder's Corners to a point on the dividing line between Coolspring and Fairview Townships thence north through Fairview Township via Oak Grove and north in Perry Township to a point of intersection with [the district road at the White School] Route 43105 west of Clark's Mills in Mercer County a distance of about [7.4] 10.2 miles

Route 43057 beginning at a point on Route 208 at Booher's Corners thence north to a point on the dividing line between Sandy Lake and Mill Creek Townships thence north to Mill Creek Township [past the] to the Glen School [to] on Route [43073 at Five Point] 43072 in Mercer County a distance of about [3.96] 2.67 miles

[Route 43085 Beginning at a point on Route 43048 at Hagertys Corner thence easterly through Perry Township to a point on Route 213 about 0.25 of a mile north of the Perry-Fairview Township line in Mercer County a distance of about 1.2 miles]

Route 43088 Beginning at a point on Route [213 about 0.3 of a mile north of the north borough line of Sheakleyville thence in a general northeasterly direction through Sandy Creek Township to a point on the dividing line between Sandy Creek and Deer Creek Townships thence northeasterly through Deer Creek Township by way of Hogue Corners Smiths School and] 43090 near Sumol thence northerly to a point on the dividing line between Mercer and Crawford Counties at Peterson Corners thence easterly on the boundary line of Mercer and Crawford Counties to Heart Corners thence northeasterly through Deer Creek Township by way of Doolittle Corners to a point on the dividing line between Mercer and Crawford Counties thence easterly on the boundary line of Mercer and Crawford Counties through Deer Creek and French Creek Townships to a point on Route 294 at Buchanan Corners in Crawford and Mercer Counties a distance of about [9.3] 7.55 miles

[Route 43089 Beginning at a point on Route 43046 at Fell School Corners thence easterly through Salem Township to the Salem-Sandy Creek Township line at Crouser Corners thence easterly through Sandy Creek township to a point on Route 43067 at Chess Corners in Mercer County a distance of about 2.8 miles]

[Route 43100 Beginning at a point on Route 43043 near the Delaware Township line thence northerly through Fairview and Perry Townships about 1.4 miles to a road intersection thence easterly to a point on Route 43048

about 0.5 of a mile west of Hagertys Corners in Mercer County a distance of about 1.9 miles]

[Route 44011 Beginning at a point in Granville Township about one-half mile northeast of Lock Port thence northerly to a point intersecting Route 44006 about one mile south of Strode's Mills in Mifflin County a distance of about .2 of a mile]

Route 44015 beginning at a point in Decatur Township intersecting Route 28 about one mile east of Wagner thence northerly and easterly through Decatur Township [via Snook] to a point [intersecting Route 44002 about two miles east of Belltown] on the Mifflin-Snyder County line in Mifflin County a distance of about [3.66] 3.22 miles

[Route 44019 Beginning at a point on Route 44001 near Atkinson's Mills thence northwesterly northeasterly and easterly through Wayne Township to a second point on Route 44001 about 0.2 of a mile southwest of the Wayne-Oliver Township line in Mifflin County a distance of about 2.45 miles]

[Route 44021 Beginning at a point on Route 603 about 1.0 mile southwest of Longfellow thence southwesterly and northwesterly through Bratton Township to a second point on Route 603 in Mifflin County a distance of about 0.8 of a mile]

[Route 44022 Beginning at a point on Route 470 in Granville thence northeasterly through Granville Township to a point on Route 44012 in Mifflin County a distance of about 1.3 miles]

[Route 44031 beginning at a point on the north line of Lewistown Borough at Walnut Street thence northwesterly through Derry and Granville Townships about .15 of a mile to a road intersection thence southwesterly to a point on the north line of Lewistown Borough near the intersection of Grand and Ridge Avenues in Mifflin County a distance of about 0.4 of a mile]

[Route 44032 Beginning at a point on Route 44022 at McCoys Ford thence southeasterly through Granville Township to a point on Route 470 in Mifflin County a distance of about 1.6 miles]

[Route 45069 Beginning at a point on Route 461-E near the Middle Smithfield-Smithfield Township line thence northwesterly through Middle Smithfield Township to a point on Route 167 about 0.3 of a mile southeast of Route 45015 in Monroe County a distance of about 1.5 miles]

[Route 45071 Beginning at a point on Route 168 about 0.1 of a mile southeast of Route 561 thence northeasterly and northwesterly through Coolbaugh Township to a point on Route 561 about 0.1 of a mile northeast of Route 168 in Monroe County a distance of about 0.2 of a mile]

Route 45085 Beginning at a point on Route 164 about .9 of a mile east of Broadheadsville thence northeasterly through Chestnut Hill and Hamilton Townships to a point on Route [45021] 164 about [1.2 miles south] one mile north of [Neola] Route 45021 in Monroe County a distance of about [3.4] 4.3 miles

[Route 47021 Beginning at a point on Route 47018 about 0.5 of a mile southwest of Ottawa thence northwesterly through Limestone Township to the intersection with Route 47019 at the Northumberland County line about 1.0 mile south of State Highway Route 240 in Montour County a distance of about 1.6 miles]

[Route 47023 Beginning at a point on State Highway Route 249 about 0.75 of a mile northwest of White Hall thence northwesterly through Anthony Township to the crossing on State Highway Route 453 about 1.25 miles northeast of its intersection with State Highway Route 249 thence northwesterly through Anthony Township to the intersection with Route 47015 about 0.5 of a mile southwest of Lycoming County line in Montour County a distance of about 3.2 miles]

Route 49021 Beginning at a point on State Highway Route 336 at Dornisfe thence northeasterly through little Mahanoy township [to its intersection with Route 49079] about 20 miles thence southeasterly through little Mahanoy to the intersection with State Highway Route 336

at Hunters Station in Northumberland County a distance of about [.2] 2.6 miles

[Route 49092 beginning at a point on Route 283 about 1.0 mile west of the intersection of routes 283 and 49032 thence in a northwesterly and northeasterly direction through Upper Augusta township of a point on Route 49041 about 1.0 mile northeast of the intersection of Routes 49042 and 49041 in Northumberland County a distance of about 1.5 miles]

Route 49113 beginning at a point on Route 336 about 0.1 of a mile south of Mahantango Creek thence easterly [through] in Little Mahanoy Township [to the intersection with Route 49013 about 0.2 of a mile southeast of Hunters Station in] Northumberland County a distance of [about 2.6 miles] .7 of a mile

Route 50030 Beginning at a point on Route 50004 about 0.6 of a mile south of the Wheatfield-Penn Township line thence in a northeasterly direction to [a road intersection about five hundred feet west of] Aqueduct Station on the Pennsylvania Railroad in Perry County a distance of about [1.20] 1.28 miles

[Route 53106 Beginning at a point on the West Mahanoy Township-Frackville Borough line about 0.1 of a mile west of Route 161 thence in a northerly direction through West Mahanoy Township to the Gilberton Borough line in Schuylkill County a distance of about 0.1 of a mile]

[Route 54062 beginning at a point on Route 25 north of Penns Creek Bridge thence in a general northerly direction through Monroe Township to a point on Route 54013 about 0.7 of a mile northeast of Penns Creek in Snyder County a distance of about 1.2 miles]

Route 57049 beginning at a point on Route 365 Gibson Township approximately .75 of a mile northeast of Gelatt Gibson Township thence easterly through Gibson Township thence northeasterly through Ararat Township [thence southeasterly through Ararat Township] to a point where it intersects Route [57050 near] 57113 northwest of Ararat in Ararat Township in Susquehanna County a distance of about [3.47] 2.6 miles

Route 57079 beginning at a point on Route 316 Forest Lake Township approximately one mile north of Birchardsville thence in a northeasterly direction through Forest Lake Township [crossing county road and Route 57009] to a point where it intersects Route [57080 approximately .75 of a mile northeast of Forest Lake] 57115 in Susquehanna County a distance of about [3.85] 1.28 miles

[Route 57101 beginning at a point on Route 57098 about 1.3 miles north of the intersection of Route 57097 thence in a northeasterly and northerly direction through Auburn Township to a point on Route 57006 in Susquehanna County a distance of about 1.9 miles]

Route 57103 beginning at a point on Route 57014 [about 0.5 of a mile north of] at Lynn thence westerly through Springville Township [crossing Meshoppen Creek thence southerly along Meshoppen Creek] thence northwesterly crossing the Springville-Auburn Township line thence through Auburn Township to a point where it intersects Route 57013 in Susquehanna County a distance of about [4.0] 3.25 miles

Route 57112 beginning at a point on Route [174 about 1.3 miles southeast of Kingsley] 944 at Oakley thence northeasterly through Harford Township to a point on Route 174-Spur in Susquehanna County a distance of about [1.7] 2.4 miles

Route 57138 beginning at a point on Route 57080 just east of the Forest Lake Township line thence northeasterly in Bridgewater Township to Route [842 just south of the Silver Lake Township line] 57078 at Fish mill in Susquehanna County a distance of about [1.6] 2 miles

Route 58051 Beginning at a point on State Highway Route 103 in Lawrence Township approximately [1.0 mile east of Tompkins] .9 of a mile west of Lawrenceville thence southerly [through] in Lawrence [and Tioga Townships] Township [to the intersection with State Highway Route 22 at the northern boundary line of Tioga

Borough in] Tioga County a distance of [about 5.2] 2.2 miles

[61061 beginning at a point at the intersections of Route 61020 and Route 61021 at Lottsville thence in a northwesterly and northerly direction through Freehold Township to a point on the New York State line in Warren County a distance of about 3.9 miles]

Route 62205 beginning at a point on the western line of City of Washington thence aver Euclid Avenue and [McGovern Street] Griffith Avenue in Canton Township to a point on Route 62159 in Washington County a distance of about [0.3] 0.4 of a mile

Route 64235 Beginning at a point on the southeastern line of Latrobe Borough thence in a southeasterly direction through Derry Township to a point on Route 64045 about 0.1 of a mile [west of] at Oakville in Westmoreland County a distance of about 0.3 of a mile

Section 2 Said act is hereby further amended by adding thereto the following new routes

#### Allegheny County

Route 02038 Beginning at a point on Route 807 at its intersection with Kleber Road thence southeasterly along Kleber Road to the old Butler Plank Road thence in a northerly direction along the old Butler Plank Road to a point on Route 72 about 1.1 miles south of the Hampton-Shaler Township line in Allegheny County a distance of about 1.1 miles

Route 02239 Beginning at a point on Route 02097 just south of the Brentwood Borough line thence southerly in Baldwin Township over Willock Road to a point on Route 02099 in Allegheny County a distance of about 1.0 mile

#### Armstrong County

Route 03145 Beginning at a point on Route 03118 at Hillville thence in a general southerly direction along the Allegheny River in Perry and Bradys Bend Townships to a point on Route 214 in Armstrong County a distance of about 5.4 miles

Route 03146 beginning at a point on Route 03023 near Dickey school thence westerly northerly and easterly in Washinton Township to a point on Route 03023 in Armstrong County a distance of about 2.4 miles

Route 03147 Beginning at a point on Route 67 about 1.2 miles southeast of Blanket Hill thence in a northeasterly and northerly direction in Kittanning Township to a point on Route 03091 in Armstrong County a distance of about 3.0 miles

Route 03148 Beginning at a point on Route 189 about one mile east of Stonehouse thence northerly in Valley Township to a point on Route 03069 in Armstrong County a distance of about 2.0 miles

Route 03149 Beginning at a point on Route 03067 about 1.7 miles east of the Kittanning Borough line thence northerly in Reyburn Township to a point on Route 66 in Armstrong County a distance of about 2.1 miles

Route 03150 Beginning at a point on Route 03044 just south of Route 03045 thence westerly in Kiskiminitas Township to a point on Route 03043 in Armstrong County a distance of about 1.0 miles

#### Beaver County

Route 04125 Beginning at a point on Route 445 near Gringo thence westerly in Hopewell and Independence Township to a point on Route 04084 in Beaver County a distance of about 1.8 miles

#### Blair County

Route 07060 Beginning at a point on Route 286 south-east of Sharpsburg thence northeasterly in Taylor and Huston Townships to a point on Route 734 about 1.1 miles north of the Huston-North Woodbury Township line in Blair County a distance of about three miles

Route 07061 Beginning at a point on Route 07022 in the village of Royer thence northeasterly in Woodbury Township to a point on Route 260 near the village of Gannister in Blair County a distance of about 4.8 miles

#### Butler County

Route 10137 Beginning at a point on application 3875 at Cabot thence northwesterly through Winfield Township to Route 10031 at Marwood in Butler County a distance of about one mile

Route 10138 Beginning at a point on Route 739 east of Leasureville thence southeasterly in Winfield Township to Route 03102 at the Armstrong County line in Butler County a distance of about 0.6 of a mile

Route 10139 Beginning at the intersection of Routes 10024 and 10023 at Clinton thence westerly and northerly in Clinton Township to a point on Route 10131 in Butler County a distance of about 1.7 miles

#### Cambria County

Route 11097 Beginning at a point on Route 11045 west of Carrolltown thence northerly in West Carroll Township to a point on Route 11047 in Cambria County a distance of about 1.1 miles

#### Cameron County

Route 12010 Beginning at a point on Route 99 about 3 miles southwest of Emporium Borough thence in a northeasterly direction through Shippen Township to a point on Route 99 near the Emporium Borough line in Cameron County a distance of about 3.0 miles

Route 12011 Beginning at a point on Route 105 near Emporium Junction thence easterly in Shippen Township to Sylvan Heights in Cameron County a distance of about 0.4 of a mile

#### Carbon County

Route 13047 Beginning at a point on Route 164 at Harrity thence northerly in Franklin Township to a point on Route 13011 in Carbon County a distance of about 0.6 of a mile

#### Centre County

Route 14060 Beginning at a point on Route 14037 east of Philipsburg thence southerly in Rush Township to a point on application 1286 in Centre County a distance of about .4 of a mile

Route 14061 Beginning at a point on Route 14020 near Linden Hall thence southerly in Harris Township to a point on Route 14018 in Centre County a distance of about .5 of a mile

#### Clarion County

Route 16101 Beginning at a point on Route 16050 south-east of Fryburg thence northerly in Washington Township to a point on the Clarion-Forest County line in Clarion County a distance of about 3.0 miles

Route 16102 Beginning at a point on Route 248 north-west of Tylersburg thence northwesterly in Farmington and Washington Townships to a point on Route 92 at Newmanville in Clarion County a distance of about 3.1 miles

Route 16103 Beginning at a point on Route 218 just east of Elk City thence southeasterly and southerly in Elk and Beaver Townships to a road intersection in Clarion County a distance of about 3.5 miles

Route 16104 Beginning at a point on Route 16009 east of Kingsville thence southeasterly in Limestone Township to a road intersection in Clarion County a distance of about 2.1 miles

Route 16105 Beginning at a point on Route 553 west of New Bethlehem thence westerly in Porter Township Clarion County a distance of .8 of a mile

Route 16106 Beginning at a point on Route 16057 at Wolfs Corners thence northwesterly in Washington Township to a point on the Forest County line in Clarion County a distance of about 1.4 miles

#### Clearfield County

Route 17131 Beginning at a point on Route 234 just north of Coalport Borough thence in a general easterly direction in Beccaria Township to a point on Route 17033 near Utahville in Clearfield County a distance of about 3.8 miles



Route 17132 Beginning at the intersection of Route 17033 and Route 17034 in Utahville thence southwesterly in Beccaria Township Clearfield County a distance of one mile

Route 17133 Beginning at a point on Route 17049 in coal Run thence westerly in Decatur and Woodward Townships to a point on Route 17047 in Clearfield County a distance of about 3.4 miles

Route 17134 Beginning at a point on Route 17051 north of its intersection with Route 17117 thence westerly and southerly in Lawrence Township to a point on Route 17117 Clearfield County a distance of about .5 of a mile

Route 17135 Beginning at a point on Route 234 near Sterling thence northerly in Woodward Township to a point on the south line of Brisbin Borough in Clearfield County a distance of about .2 of a mile

Route 17136 Beginning at a point on Route 17056 north of Osceola Mills Borough thence southerly in Decatur Township to a point on the Decatur Township-Osceola Mills Borough line at Curtain Street Beginning again on the Decatur Township-Osceola Mills Borough line at Coal Street thence southerly in Decatur Township to a point on Route 234 in Clearfield County a distance of .75 of a mile

#### Clinton County

Route 18046 Beginning at a point on Route 18006 just south of Tylersville thence northeasterly in Logan Township to a point on Route 18027 near Greenburr Clinton County a distance of about 4.0 miles

#### Crawford County

Route 20151 Beginning at a point on Route 20104 near Shelmadine Springs thence northeasterly in Oil Creek and Rome Townships to a point on Route 20120 about one mile east of Vrooman in Crawford County a distance of about 3.3 miles

Route 20152 Beginning at a point on Route 20035 east of Kastars Corners thence northerly and easterly in Wayne and Jackson Townships to a point on Route 20032 near Wilsons Mills in Crawford County a distance of about 4.8 miles

#### Cumberland County

Route 21096 Beginning at a point on Route 21051 just west of its intersection with Route 30 thence northwesterly and westerly in East Pennsboro Township in Cumberland County a distance of 1 mile

Route 21097 Beginning at a point on Route 507 just west of the Mechanicsburg Borough line thence easterly in Monroe Township to a point on the Mechanicsburg Borough line in Cumberland County a distance of about .05 of a mile

#### Elk County

Route 24032 Beginning at a point on Route 24012 near Mt Zion Church thence in a general southeasterly direction in Jay Township to a point on Route 411 near Caledonia in Elk County a distance of about 2.2 miles

Route 24033 Beginning at a point on Route 24013 just north of Application 1247 thence northeasterly in Benzinger Township to a point on the Cameron County line in Elk County a distance of about 9.3 miles

#### Erie County

Route 25127 Beginning at a point on Route 85 about .7 of a mile north of the Crawford-Erie County line thence easterly in Conneaut and Elk Creek Townships to a point on Route 25009 in Erie County a distance of about 2.5 miles

#### Fayette County

Route 26177 Beginning at a point on Route 26057 at Emme thence southerly in Springhill Township to the West Virginia State Line in Fayette County a distance of about 2.7 miles

#### Franklin County

Route 28087 Beginning at a point on Route 43 near

Black Gap thence westerly in Greene and Guilford Townships to a point on Route 43 near the Pennsylvania Railroad in Franklin County a distance of about 3.18 miles

#### Greene County

Route 30094 Beginning at a point on Route 109 about 1.5 miles southeast of Ninevah thence northeasterly in Morris Township a distance of about 1.6 miles to a road intersection thence easterly to a point on Route 30011 about 1.5 miles southeast of Deerlick in Greene County a distance of about 2.7 miles

#### Huntingdon County

Route 31106 Beginning at a point on Route 31069 near Huntingdon Furnace thence southerly in Franklin Township to a point on Route 346 near Colerain Forge in Huntingdon County a distance of about 2.0 miles

#### Indiana County

Route 32172 Beginning at a point on Route 32090 about .5 of a mile east of Route 32089 thence northerly in East Mahoning Township to a point on Route 32089 in Indiana County a distance of about 1.3 miles

Route 32173 Beginning at a point on Route 32001 east of Saltsburg Borough thence southwesterly in Conemaugh Township to the village of White in Indiana County a distance of about 1.5 miles

Route 32174 Beginning at a point on Route 32076 west of Purchase line thence northerly in Green and Grant Townships to a point on Route 32084 in Indiana County a distance of about 2.1 miles

Route 32175 Beginning at a point on Route 32071 near Taylorville thence southerly in Green Township to a point on Route 262 in Indiana County a distance of about 0.7 of a mile

Route 32176 Beginning at a point on Route 32084 just west of the Grant-Montgomery Township line thence northerly and easterly in Grant and Montgomery Townships to a point on Route 32086 just south of Wilgus in Indiana County a distance of about 2.5 miles

Route 32177 Beginning at a point on Route 32097 about .7 of a mile north of the west Mahoning-South Mahoning Township line thence easterly in West Mahoning Township to a point on Route 32101 in Indiana County a distance of about 3.7 miles

Route 32178 Beginning at a point on Route 32052 about one mile north of Penn Run thence northwesterly in Cherryhill Township to the Methodist Church in Indiana County a distance of about 1.3 miles

#### Jefferson County

Route 33091 Beginning at a point on Route 33029 just south of Route 33033 thence northerly in Winslow and Washington Townships to a road intersection in Jefferson County a distance of about 1.7 miles

Route 33092 Beginning at a point on Route 33038 south of its intersection with Route 33064 thence northeasterly in Washington Township to a point on Route 33044 near the Baltimore and Ohio Railroad crossing in Jefferson County a distance of about 3.0 miles

Route 33093 Beginning at a point on Route 33002 near Porter thence easterly in Porter and Perry Townships to a point on Route 33055 west of Hamilton in Jefferson County a distance of about 4.9 miles

#### Juniata County

Route 34062 Beginning at a point on Route 34020 south of Cocolamus thence easterly in Fayette and Monroe Townships to a point on Route 34011 about one mile south of Evendale in Juniata County a distance of about 2.65 miles

Route 34063 Beginning at a point at the intersection of Routes 349 and 45 southwest of Port Royal Borough thence westerly and southerly in Milford Township to a point on Route 34006 in Juniata County a distance of about 3.5 miles

## Lackawanna County

Route 35068 Beginning at a point on Route 533 at Justus Corners thence northerly in Scott Township to a point on Route 35034 west of Green Grove in Lackawanna County a distance of 1.9 miles

## Lancaster County

Route 36182 Beginning at a point at the intersection of Route 442 and Route 442 Spur E in the village of Overbrook thence easterly through Manheim Township to a point on Route 36041 in the village of Roseville in Lancaster County a distance of about 0.9 of a mile

Route 36183 Beginning at a point on Route 215 about 1.1 miles east of the intersection of Routes 142 and 215 thence northerly and westerly through East Lampeter and Manheim Townships via Greenfield Station and Eden to a point on Route 36041 about 0.75 of a mile northeast of the village of Glenmore in Lancaster County a distance of about 5.77 miles

## Lawrence County

Route 37083 Beginning at a point on Route 350 east of concrete bridge in Wurtemberg thence northerly in Perry Township to Slippery Rock Creek thence in Wayne Township approximately paralleling Slippery Rock Creek to the entrance of the Salvation Army Camp in Lawrence County a distance of about 1.8 miles

## Lehigh County

Route 39120 Beginning at a point on Route 39057 at the Heidelberg-Washington Township line thence northeasterly in Washington Township to a point on Route 39054 about .75 of a mile southeast of Peters store in Lehigh County a distance of about 1.7 miles

## Luzerne County

Route 40128 Beginning at a point on Route 177 just north of Route 369 thence easterly in Lake Township to a point on Route 40115 south of Loyalville in Luzerne County a distance of about 0.9 of a mile

Route 40129 Beginning at a point on Route 40123 near its intersection with Route 40086 thence northerly in Lake Township to a point on Route 40063 in Luzerne County a distance of about .2 of a mile

Route 40133 Beginning at a point on Route 40046 at Ridgewood thence easterly in Plains Township to a point on Route 515 in Luzerne County a distance of about 0.9 of a mile

## Lycoming County

Route 41146 Beginning at a point on Route 41117 about 0.9 of a mile south of Route 41015 thence southwesterly through Armstrong Township to the property of Williamsport Municipal Water Authority in Lycoming County a distance of about 0.8 miles

Route 41147 Beginning at a point on Route 41026 about 0.8 of a mile north of Route 23 thence northwesterly through Woodward Township to a point on Route 41025 in Lycoming County a distance of about 1.20 miles

Route 41148 Beginning at a point on the northern boundary of the city of Williamsport near the northeastern corner thence northwesterly through Loyalsock Township to a point on Route 41093 in Lycoming County a distance of about 2.3 miles

Route 41149 Beginning at a point on Route 41061 about 0.2 of a mile south of Route 355 thence easterly through Muncy Township to a point on Route 41066 in Lycoming County a distance of about 1.5 miles

## McKean County

Route 42047 Beginning at a point on Route 42006 at Backus thence southerly and southwesterly in Keating and Hamlin townships to a point on Route 42005 in McKean County a distance of about 4.75 miles

## Mercer County

Route 43113 Beginning at a point on the Lawrence

County line 2.25 miles east of New Wilmington thence northeasterly through Wilmington Springfield and East Lackawannock Townships to a point on Route 246 about 2.5 miles south of Mercer in Mercer County a distance of about 5 miles

## Mifflin County

Route 44037 Beginning at a point on Route 44001 about 1.8 miles northeast of Newton Hamilton Borough thence northerly in Wayne Township to a point on Route 44001 about one mile southeast of Atkinson Mills in Mifflin County a distance of about 3.0 miles

Route 44038 Beginning at a point on Route 44001 near Strode's Run thence northeasterly in Granville Township to a point on Route 44013 in Mifflin County a distance of about 3.5 miles

## Monroe County

Route 45089 Beginning at a point on Route 168 in the village of Tobyhanna thence northwesterly in Coolbaugh Township to a point on Route 45036 in Monroe County a distance of about 1.5 miles

## Montour County

Route 47038 Beginning at a point on Route 240 just north of the Valley-Derry Township line thence westerly through Derry Township and southwesterly in Liberty Township to a point on Route 47004 just south of Chillisquaque Creek in Montour County a distance of about 2.7 miles

Route 47039 Beginning at a point on Route 47015 north of the Anthony-Derry Township line thence westerly in Anthony Township to a point on Route 240 in Montour County a distance of about 1.2 miles

Route 47040 Beginning at a point on Route 47010 about .75 of a mile north of Route 3 thence southwesterly in Mahoning Township to a point on the east line of Danville Borough in Montour County a distance of about 2.5 miles

## Northampton County

Route 48101 Beginning at a point on Route 48088 near the Bushkill-Plainfield Township line thence easterly in Bushkill and Plainfield Township to a point on the west line of Wind Gap Borough in Northampton County a distance of about .7 of a mile

## Northumberland County

Route 49125 Beginning at a point on Route 49031 north of Route 161 thence easterly in Upper Augusta Township to a point on Route 49032 in Northumberland County a distance of about 2.9 miles

Route 49126 Beginning at a point on Route 635 east of Route 49059 thence northerly and easterly in Turbot Township to a point on Route 49094 in Northumberland County a distance of about 1.7 miles

## Perry County

Route 50052 beginning at a point on Route 305 about 0.1 of a mile north of Big Buffalo Creek thence southwesterly in Junata Township to a road intersection in Perry County a distance of about 0.2 of a mile

## Schuylkill County

Route 53117 Beginning at a point on Route 53097 just south of Barnesville thence westerly in Rush and Ryan Townships to a point on Route 53036 in Schuylkill County a distance of about 1.15 miles

Route 53118 beginning at a point on Route 161 just east of the Girardsville borough line thence northwesterly in Butler Township to a point on the Girardville borough line in Schuylkill County a distance of about 0.1 of a mile

## Snyder County

Route 54071 beginning at a point on Route 54014 about one mile south of Verdilla thence southeasterly in Union Township to a point on Route 54018 in Snyder County a distance of about 1.6 miles

Susquehanna County

Route 57152 beginning at a point on Route 227 east of Burnwood thence northerly and easterly in Ararat Township to a point on Route 296 about one mile south of Route 57051 in Susquehanna County a distance of about 1.8 miles

Route 57153 beginning at a point on Route 371 just north of Comfort Lake thence northerly in Harmony Township to a point on Route 296 near Stevens point in Susquehanna County a distance of about 3.1 miles

Route 57154 beginning at a point on Route 57029 about one mile north of the Lenox-Hartord Township line thence easterly and northeasterly in Harford and Gibson townships to a point on Route 57046 about three miles south of Gibson in Susquehanna County a distance of about 3.7 miles

Tioga County

Route 58115 Beginning at a point on Route 21 near its intersection with Route 58039 thence northeasterly in Bloss and Hamilton Townships to the Blossburg Borough line in Tioga County a distance of about 0.3 of a mile

Route 58122 Beginning at a point on Route 22 at the northern Boundary line of Tioga Borough thence northwesterly in Tioga Township Tioga County a distance of about 1.08 miles

Venango County

Route 60077 Beginning at a point on Route 207 near McCune thence southeasterly in Canal and Sugar Creek Townships to a point on Route 90 near Sugar Creek in Venango County a distance of about 6.9 miles

Warren County

Route 61069 Beginning at a point on Route 61038 about .6 of a mile east of Route 94 thence northeasterly in Grove and Elk Townships to a point on Route 61039 north of Germany in Warren County a distance of about 6.3 miles

Route 61070 Beginning at a point on Route 61020 near Wrightsville thence easterly in Freehold Township to a point on Route 61022 in Warren County a distance of about 1.4 miles

Route 61071 Beginning at a point on Route 61020 about 1.2 miles north of Wrightsville thence northeasterly in Freehold Township to a township road in Warren County a distance of about 2.8 miles

York County

Route 66206 Beginning at a point of Route 66001 about one-half mile west of the Monaghan-Fairview Township Line thence northerly and easterly in Monaghan Township and northerly in Fairview Township to a point on the York-Cumberland County line in York County a distance of about 1.75 miles

Section 3 The highways established as State highways under the provisions of this act may be taken over for construction and maintenance at any time subsequent to the final enactment of this act when the same shall become effective and shall be taken over not later than the first day of January one thousand nine hundred fifty

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

- |          |          |           |         |
|----------|----------|-----------|---------|
| Barr,    | Geitz,   | Meade,    | Tarr,   |
| Barrett, | Haluska, | Neff,     | Taylor, |
| Berger,  | Hare,    | Pechan,   | Toole,  |
| Blass,   | Holland, | Peelor,   | Wade,   |
| Chapman, | Homsher, | Robinson, | Wagner, |

- |              |                 |            |              |
|--------------|-----------------|------------|--------------|
| Crowe,       | Kephart,        | Rosenfeld, | Walker,      |
| Dent,        | Lane,           | Ruth,      | Watkins,     |
| Diehm,       | Leader,         | Scarlett,  | Watson,      |
| DiSilvestro, | Letzler,        | Snowden,   | Wolfe,       |
| Doehla,      | Lord,           | Stevenson, | Wood, L. H., |
| Donlan,      | Mahany,         | Stiefel,   | Wood, T. N., |
| Farrell,     | Mallery,        | Tallman,   | Yosko,       |
| Frazier,     | McPherson, Jr., |            |              |

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 552, as follows:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefore regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes

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

Section 1 The following routes established by section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and in public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefore regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purpose of this act" and its amendments are hereby deleted as indicated or amended to read as follows

[Beginning at a point on the intersection of Fifth Avenue and Hartman Street thence along Hartman Street

to a point on the line dividing the city of McKeesport from Versailles Township beginning again at the intersection of Thirty-Seventh Street and McCarrell Avenue on the line dividing Versailles Township and McKeesport City thence over Thirty-Seventh Street to the intersection with Walnut Street on the line dividing McKeesport City and Versailles Township in the city of McKeesport a distance of about .7 of a mile]

Beginning at a point on the North Line of Eden Park borough at 37th Street thence over Walnut Street and Lysle Boulevard to the intersection of Fifth Avenue and Hartman Street thence eastwardly along Fifth Avenue to the McKeesport City-Versailles Township line East of Lime Street in the City of McKeesport a distance of about [.5 of a mile] 5.18 miles

Beginning at a point at the intersection of Taylor Street extension and East Washington Street thence southwest on Taylor Street extension to Cunningham Avenue thence West on Taylor Street to Neal Street thence North on Neal Street to Grove Street thence West on Grove Street to [Croton Avenue Extension] Jefferson Street in the city of New Castle Lawrence County a distance of about [0.9 of a] one mile [provided the above route shall not be taken over until the entire route shall have been laid out and opened to traffic]

Section 2 Said act is hereby further amended by adding thereto the following new routes Beginning at a point on the Corry City-Concord Township Line thence over West Washington Street to North Center Street in the City of Corry a distance of about .99 of a mile

Beginning at a point on the northern line of Williamsport at Chestnut Street thence southerly over Chestnut Street to Four Mile Drive in the City of Williamsport Lycoming County a distance of about 0.06 of a mile

Section 3 The streets established as State highways under the provisions of this act may be taken over for construction and maintenance at any time subsequent to the approval of this act but shall be taken over not later than the first day of January one thousand nine hundred fifty

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 556, as follows:

An Act relating to property owned by cities of the Second class A authorizing special funds for its maintenance and authorizing council to insure against liability arising out of the ownership or control of such property The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The councils of cities of the second class A are hereby authorized and empowered to purchase contracts of liability insurance protecting such cities from liability arising out of the ownership or control of any property to which it has title in fee or through a city treasurers sale on delinquent taxes

Section 2 The councils of cities of the second class A are hereby authorized and empowered to appropriate moneys to a special fund to be used in maintaining properties to which such cities have secured title through a city treasurer's sale on delinquent taxes

Section 3 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 557, as follows:

An Act providing for the compensation of the mayor council and appointed officers in cities of the second class A

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

Section 1 The city council in cities of the second class A shall fix the salary of the mayor the members of council the controller and appointed city officers The salary of the mayor shall be not more than seven thousand five hundred dollars (\$7,500) per annum the salary of each member of council shall be not more than four thousand dollars (\$4000) per annum the salary of the controller shall be not more than four thousand five hundred dollars (\$4500) per annum and the salaries of appointed city officers shall not exceed five thousand dollars (\$5000) per annum

Section 2 The act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 405) entitled "An act fixing the salary of the mayor and members of the council in cities of the second class A" is hereby repealed

An said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House bill No. 656, as follows:

An Act to further amend subsection (b) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P L 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates adermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by changing the total maximum height of vehicles and loads

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

Section 1 Subsection (b) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P L 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon

the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P L 1135) is hereby further amended to read as follows

Section 902 Size of Vehicles and Loads

\* \* \* \* \*

(b) No vehicle except vehicles used exclusively to repair overhead lights and wires and fire department equipment shall exceed a total maximum height including any load thereon of one hundred fifty (150) inches but nothing herein contained shall be construed to require the public authorities to provide sufficient vertical clearance to permit the operation of such vehicles excepting that until but not after January first one thousand nine hundred forty-one any vehicle properly registered in Pennsylvania on the effective date of this act may be of a total height including any load thereon of one hundred seventy-four (174) inches Provided however That any motor bus operated within a municipality or in a business or residence district may be of a total height including any load thereon of one hundred seventy-four (174) nches and any vehicle carrying motor vehicles may be of a total height including any load thereon of one hundred sixty-two (162) inches

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 657, as follows:

An Act to amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled as amended "A supple-

ment to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities towns townships and boroughs within this Commonwealth" by providing for the distribution of certain accumulations in the fire insurance tax fund to cities towns townships and boroughs for payment to firemen's relief pension and retirement funds

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

Section 1 Section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled as amended "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities towns townships and boroughs within this Commonwealth" as last amended by the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 992) and by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1240) is hereby further amended to read as follows

Section 2 (A) On and after the first day of January one thousand nine hundred and nineteen and annually thereafter there shall be paid by the State Treasurer to the treasurers of the several cities towns townships and boroughs within the Commonwealth the entire net amount received from the two per centum tax paid upon premiums by foreign insurance companies The amount to be paid to each of the treasurers of the several cities towns townships and boroughs shall be based upon the return of said two per centum tax upon premiums received from foreign fire insurance companies doing business within the said cities towns townships and boroughs and shall be proportionate to the premiums received by such companies on account of insurance written upon property located in such city borough town or township as shown by the report made to the Department of Revenue Each city borough town or township receiving any payment from the State Treasurer hereunder shall forthwith pay the amount received to the relief fund association of or the pension fund covering the employees of the fire department or of such fire company or fire companies paid or volunteer now existing or hereafter organized in such city borough town or township as is or are engaged in the service of such city borough town or township and duly recognized as such by the council or commissioners or supervisors as the case may be of such city borough town or township in any borough town or township in which there is no fire department or fire company or companies the amount received by the Treasurer of the borough town or township from said tax shall be forthwith paid to the relief fund association or pension fund of the fire department or fire company or companies of any near or adjacent city borough town or township the fire department or fire company or companies of which afford fire protection to the inhabitants of such borough town or township Before payment of said tax to the treasurer of any such borough town or township the burgess in boroughs and the secretary of the board of supervisors in town or townships shall first certify to the Auditor General that the fire department or fire company or companies of such near or adjacent city borough town or township afford fire protection to the inhabitants of such borough town or township Provided That if the fire department consists of paid and volunteer firemen and the paid fire-

men shall be covered by a pension fund then the two per centum tax aforesaid shall be divided equally between the relief fund association of the volunteer firemen and the pension fund for the paid firemen Warrants for the above purposes shall be drawn by the Auditor General payable to the treasurers of the several cities towns townships and boroughs in accordance with this act whenever there are sufficient funds in the State Treasury to pay the same All such fire insurance companies shall instruct their agents to place upon the said policies the exact city borough town or township wherein the insured property is located

(b) All surplus moneys accumulated in the State Treasury set aside by the State Treasurer and held in or repayable in accordance with existing laws into the Fire Insurance Tax Fund other than interest credited to such fund which remains as an undistributed surplus in such fund and has been accumulated by the thirty-first day of May one thousand nine hundred forty-nine shall be paid out to those under law entitled to distribution as of the thirty-first day of December one thousand nine hundred forty-eight and in the same ratio as regular annual payments were made in that year but such surplus shall not include any sums certified by the Department of Revenue for distribution in the year one thousand nine hundred forty-nine thereafter a like distribution of such surplus shall be made on the thirty-first day of December of each year to those entitled to distribution as of the thirty-first day of December of the preceding year and in the same ratio as regular annual payments were made in that year each city town township and borough treasurer receiving any payment from the State Treasurer hereunder shall forthwith pay the amount received to the relief fund pension fund or retirement fund of the department or fire company or companies paid or volunteer organized in such city town township or borough as is or are engaged in the service of such city town township or borough and duly recognized as such by the corporate authorities thereof except that cities of the first class receiving any payment from the State Treasurer hereunder shall forthwith pay the amount received to the Firemen's Pension Fund only

Section 2 The act approved the tenth day of June one thousand nine hundred forty-seven (Appropriation Act Page 24 No 15-A) entitled "An Act appropriating certain accumulations in the Fire Insurance Tax Fund to cities townships and boroughs for payment to Firemen's Relief Pension and Retirement Funds" is hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Sarr.	Geltz.	Meade.	Tarr.
Barrett.	Haluska.	Neff.	Taylor.
Berger.	Hare.	Pechan.	Toole.
Blass.	Holland.	Peelor.	Wade.
Chapman.	Homsher.	Robinson.	Wagner.
Crowe.	Kephart.	Rosenfeld.	Walker.
Dent.	Lane.	Ruth.	Watkins.
Diehm.	Leader.	Scarlett.	Watson.
DiSilvestro.	Letzler.	Snowden.	Wolfe.
Doehla.	Lord.	Stevenson.	Wood, L. H.,
Donlan.	Mahany.	Stiefel.	Wood, T. N.,
Farrell.	Mallery.	Tallman.	Yosko.
Frazier.	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 668, entitled:

An Act to amend sections two and three of the act approved the twenty-fourth day of June one thousand nine hundred nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" by authorizing direct purchases in certain cases

And said bill having been read at length the third time,  
On the question,

Will the Senate agree to the bill on third reading?

Mr. KEPHART. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 1 (Sec. 3), page 3, line 14, by inserting after the word "House" the following: "with the approval of the Speaker or President Pro Tempore thereof"

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILLS OVER IN ORDER

Mr. WALKER. Mr President, I ask unanimous consent that House Bill No. 668, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 772, on third reading, entitled:

An Act to further amend subsection (b) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by making further provision for the compensation of judges inspectors clerks and machine inspectors at primaries and elections in counties of the fifth class

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 780, as follows:

An Act to further amend sections one seven and eighteen of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" by changing the definitions of "week" and "day" and by deleting the wartime provision increasing hours of labor and temporarily suspending certain restrictions on employment and changing the penalty provision

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

Section 1 Section one of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 389) is hereby further amended to read as follows

Section 1 [Be it enacted &c that the] The term "establishment" when used in this act shall mean any place within this Commonwealth where work is done for compensation of any sort to whomever payable

The term "person" when used in this act shall be construed to include any individual partnership or other unincorporated association corporation Commonwealth and any political subdivision thereof

The term "week" when used in this act shall mean seven consecutive days which may begin on any day of a week and which shall begin on the same calendar day each week [and the] the term "day" shall mean any twenty-four consecutive hours [which may begin at any hour of a day]

Section 2 Section seven of said act as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P L 389) is hereby further amended to read as follows

Section 7 No female shall be employed or permitted to work for more than five hours continuously in or in connection with any establishment without a meal or rest period of at least thirty minutes which period shall not be considered a part of the hours of labor and no period of less than thirty minutes shall be deemed to interrupt a continuous period of work

Employes shall not be required to remain in the work-rooms during the meal or rest periods required by this section [Provided however That where the strict application of the thirty minutes' meal or rest period impedes or interferes with the war effort the Department of Labor and Industry with the approval of the Industrial Board may suspend the provisions of this section]

Section 2 Section eighteen of said act as amended by the act approved the eighteenth day of April one thousand nine hundred twenty-nine (P. L. 617) is hereby further amended to read as follows

Section 18 Any person who whether by himself or for another or through an agent servant or foreman shall violate any provisions of this act shall be subject to the following penalties

Upon conviction for violation of any provision of sections three four five six or seven of this act he shall be punished for a first offense by a fine of not less than ten (\$10) dollars and costs or more than fifty (\$50) dollars and costs and upon nonpayment thereof be imprisoned in the county jail for not more than ten days for a second or subsequent offense by a fine of not less than twenty-five (\$25) dollars and costs or more than two hundred (\$200) dollars and costs and upon nonpayment thereof by imprisonment in the county jail for not more than sixty days and whenever any person shall have been notified by the Department of Labor and Industry or by the service of a summons in a prosecution that he is violating such provision he shall be punished by like penalties in addition for each and every day that such violation shall have continued after such notification

Upon conviction for a violation of any of the provisions of sections eight nine ten eleven twelve thirteen fourteen or fifteen of this act the punishment shall be without regard to the number of females employed for a first offense not less than twenty-five (\$25) dollars and costs or more than fifty (\$50) dollars and costs and upon nonpayment thereof imprisonment in the county jail for not more than twenty days for a second or subsequent offense a fine or not less than fifty (\$50) dollars and costs or more than two hundred (\$200) dollars and costs and upon nonpayment thereof imprisonment in the county jail for not more than sixty days and whenever any person shall have been notified by the Department of Labor and Industry that he is violating such provisions and shall have been given a reasonable time in which to remedy the condition which shall constitute such violation he shall be punished in addition to the penalties aforesaid by like penalties for each and every day that such violation shall have continued after the expiration of the time allowed by the Department of Labor and Industry for remedying the aforesaid condition Provided

First That any person who shall demand evidence such as shall be required by law for the issuing of employment certificates to minors that any applicant for employment or permission to work in or in connection with his establishment is [twenty-one] eighteen years of age and shall receive the same before employing or permitting such applicant to work and who shall have kept the same on file and in the case of such applicant shall have complied with all the requirements of this act applying to a female of the age stated in such evidence of age shall not be liable to punishment for the violation of section five of this act though it shall subsequently appear that such applicant was in fact less than [twenty-one] eighteen years of age Provided That this provision shall not apply to any person who shall demand and receive the evidence herein provided for if he knows at the time of receiving such evidence that the applicant is in fact less than [twenty-one] eighteen years of age nor shall this provision prevent the punishment of any person for violating section five of this act after knowledge of the true age of the female employed

Second Whenever a violation of any provision of this act shall also be a violation of another provision or other provisions of this act penalties may be imposed for the violation of each and every such provision

Third That under no circumstances shall any person be sentenced to imprisonment for more than one year for any one violation of this act

Fourth That whenever a violation of any of the provisions of this act shall also be a violation of the laws of this Commonwealth regulating the hours of labor and

conditions of employment of minors penalties shall be imposed under only one of such acts

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blaas,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 786, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P L 177) 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" by further regulating the cost price per copy of publications for distribution to the public

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

Section 1 Clause (j) of section two thousand four hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P L 177) entitled "An act providing for and reorganizing the conduct of the executive ad administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and of-



ficers 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" as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 2406 Publications The Department of Property and Supplies shall have the power and its duties shall be

(j) To distribute to the public upon payment to the department of such sum per copy as shall cover the cost of publication any documents published by the department for the Commonwealth or any department board commission or officer thereof which shall cost more than [five] ten cents per copy to publish except documents published for the Governor and the General Assembly which shall be distributed without charge as heretofore To administer this subsection the department may publish for free distribution to applicants therefore a price-list showing the publications which the department is prepared to furnish to the public and the charges for each such document All moneys collected by the department hereunder shall be paid through the Department of Revenue into the General Fund in the State Treasury except that if the cost of publishing any document sold by the department hereunder shall have been paid out of any special fund in the State Treasury the proceeds of the sale thereof shall be paid into such special fund through the Department of Revenue

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 839, as follows:

An Act to amend section twelve of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employee retirement system in counties of the third class and imposing certain charges on counties" by providing for the right to designate beneficiaries after the time of retirement

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

Section 1 Section twelve of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" is hereby amended to read as follows

Section 12 Options on Superannuation Retirement At the time of his superannuation retirement any beneficiary may elect to receive his retirement allowance payable throughout life or if such retirement allowance shall amount to less than ten dollars per month he may elect to receive the full amount of the accumulated deductions standing to his individual credit in the member's annuity reserve account or he may in any event elect to receive the actuarial equivalent of his member's and county annuity in a lesser retirement allowance payable throughout life with provisions that

Option One If he die before receiving in payments the present value of his member's annuity and county annuity as it was at the time of his retirement the balance shall be paid to his legal representatives or to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement or at anytime thereafter

Option Two Upon his death his member's annuity and county annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his retirement

Option Three Upon his death one-half of his member's and county annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 869, as follows:

An Act to further amend section three hundred twenty-five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by permitting certain county employes of county correctional institutions in counties of the second class to be credited for previous service

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

Section 1 Section three hundred twenty-five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 365) is hereby further amended to read as follows

Section 325 Reinstatement and Requirements for Credit for Previous Service Should any county employe who has withdrawn his contribution paid into the retirement fund desire to be reinstated and again become a member thereof he or she may do so by payment in full of the amount withdrawn with interest at the legal rate the said interest to be computed from the date of withdrawal to the date of repayment Both principal and interest shall be paid into the retirement fund at one time and in one amount In addition each such county employe shall pay the assessments provided for in section three hundred and eighteen of this act Any county employe who desires to be given credit for previous service in the employe of the county as an elected or appointed employe or official where such service was rendered to the county at a time when a retirement system was not in existence or when such employe was not a member of the county retirement system shall make application to the the Retirement Board and upon approval thereof shall pay into the retirement fund a sum equal to twice the payment which such employe would have made had the retirement system been in effect or had such person been a member thereof and had the payments been made in accordance with the provisions of this act In addition thereto interest at the legal rate shall be paid from the date when the said monthly payment would have been made Thereafter such county employe shall make monthly payments in accordance with the provisions of section three hundred and eighteen of this act Any person employed by any county correctional institution at the date such person became eligible for membership in the county retirement system who desires to be given credit for previous service in the employe of such institution when such employe was not eligible for membership shall make application to the Retirement Board and upon approval thereof shall pay into the retirement fund a sum equal to twice the payment which such employe would have made had the retirement system been in effect or had such person been a member thereof and had the payments been made in accordance with the provisions of this act in addition thereto interest at the legal rate shall be paid from the date when the said monthly payment would have been made thereafter such county employes shall make monthly payments in accordance with the provisions of section three hundred eighteen of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geitz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Taliman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No 871, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds providing for additional examinations for school bus operators and further regulating safety requirements for school buses the meeting or overtaking of school buses while taking on or discharging school children and the establishment of off the highway loading zones by school districts

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

Section 1 The act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department

of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding immediately following section six hundred eight thereof a new section to read as follows

**Section 608.1 Additional Examinations for School Bus Operators**

After the first day of July one thousand nine hundred fifty no person shall operate a school bus carrying school children on the highways of this Commonwealth unless he (1) shall have satisfactorily passed an additional examination for school bus operators to be given by the secretary or such agency as he may direct establishing his fitness and competency to operate such school bus with safety and his knowledge of the laws and regulations relating to the operation of school buses (2) carries a currently valid school bus operator's certificate issued by the secretary pursuant to such examination (3) has satisfactorily passed a physical examination to be given annually at the beginning of every school year by the physician for the school district by which he is employed and (4) carries a currently valid certificate issued by the examining physicians indicating that he has passed the prescribed physical examination the provisions of this section shall not apply to operators employed by any person or company subject to the jurisdiction of the Pennsylvania Public Utility Commission

**Penalty** Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of not less than twenty-five dollars (\$25) and not more than fifty dollars (\$50) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not less than ten (10) days and not more than twenty-five (25) days

**Section 2** Clause (7) of subsection (b) of section eight hundred twenty-eight of said act as last amended by the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1170) is hereby further amended and two clauses are hereby added immediately following clause (8) thereof to read as follows

**Section 828 School Buses Safety Requirements**

\* \* \* \* \*

(b) No person shall own or operate a school bus carrying school children on the highways of this Commonwealth in a school bus that in addition to the other requirements of this act does not conform with the following

\* \* \* \* \*

(7) Every school bus shall be of a uniform color which shall be orange and every such bus shall be labeled both in the front and in the rear with black letters not less than six (6) inches in height with the words "School Bus" showing to the outside any school bus purchased or repainted after the effective date of this amendment shall be of a uniform color of national school bus chrome and every school bus shall be labeled both in front and in the rear with black letters not less than eight inches in height with the words "School Bus" showing to the outside When a school bus is being operated upon a highway other than for the transportation of school children either to or from school all the labels containing the words "School Bus" shall be removed covered or concealed

\* \* \* \* \*

(9) Every school bus shall be equipped with two electrical or mechanical stop signal devices one to the front and one to the rear thereof in addition to the stop signal devices otherwise required by this act Each such additional device shall be plainly visible to operators of ap-

proaching vehicles in normal sunlight and at night from a distance of one hundred (100) feet to the front or rear as the case may be shall not project a glaring light and shall be of types approved by the secretary

(10) Every school district transporting pupils by school bus shall establish and maintain at or near all schools to or from which pupils are transported off the highway loading zones

(11) The provisions of clause (7) of this section requiring labeling shall apply to all buses when used exclusively for the transportation of school children whether or not the bus is owned and operated by a person or company subject to the jurisdiction of the Pennsylvania Public Utility Commission but none of the other provisions of said clause or of clause (9) of this section shall apply to buses subject to the jurisdiction of the public Utility Commission

**Section 3** Subsection (b) of section one thousand seventeen of said act as amended by the act approved the sixteenth day of July one thousand nine hundred thirty-five (P. L. 1056) is hereby further amended to read as follows:

**Section 1017 Passing Street Cars**

\* \* \* \* \*

(b) No operator of a vehicle who meets or overtakes a street passenger car [or school bus] that has stopped for the purpose of taking on or discharging passengers shall pass said car [or school bus] on the side on which the passengers get on or off until the car [or school bus] has started and until any passengers who may have alighted have reached the side of the highway except that where a safety zone has been established or at an intersection where traffic is controlled by a peace officer or a traffic signal a vehicle need not be brought to a full stop before passing any such railway interurban street car [or school bus] but may proceed past such car [or school bus] at a speed not greater than is reasonable or proper and in no event greater than ten (10) miles an hour and with due caution for the safety of pedestrians

**Section 4** Said act is hereby amended by adding immediately following section one thousand seventeen thereof a new section to read as follows

**Section 1017.1 Passing School Buses**

The driver of a vehicle when approaching the front or rear of a school bus conforming to the requirements of this act that has come to a stop upon any highway or street outside of a business or residential district while in the act of receiving or discharging any school child shall stop such vehicle not less than ten (10) feet from such school bus and keep such vehicle stationary until such school bus resumes motion or the school bus operator signals him to proceed except that (1) upon a highway with separate roadways when the school bus is on a separate roadway or (2) upon a limited or controlled access highway when the school bus is stopped in a loading zone adjacent to or part of such highway and where pedestrians are not permitted to cross such highway (3) upon a highway when a school bus is stopped on and off the highway loading zone as provided in clause (10) of sub section (b) of section eight hundred twenty-eight of this act the driver need not stop his vehicle upon meeting or passing a school bus No school bus operator shall start his bus or signal the driver of any vehicle who has stopped in compliance with the provisions of this section to proceed until after each child who may have alighted therefrom shall have reached a place of safety

**Penalty** Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty dollars (\$20) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

## BILL OVER IN ORDER

Mr. WALKER. Mr President, I ask unanimous consent that House Bill No. 872, on third reading, entitled:

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupation for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by providing for annual assessments abolishing triennial assessments providing for fixing of salaries of subordinate assessors limiting notices of assessment to persons the value of whose property or personal assessment has been changed or has not previously been separately made and making assessments applicable to taxation for institution district purposes imposing duties on persons acquiring title to realty contractors and building inspectors

go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 879, entitled:

An Act to amend the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial

review thereof and preserving equitable jurisdiction in certain cases" by redefining "regulation" charging provisions governing promulgation of regulations imposing duties on the Department of State extending the grounds for refusing to affirm adjudications of agencies requiring all appeals to be taken to the Superior Court and enumerating the agencies affected and the extent to which they are affected

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. KEPHART. Mr President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there any objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 2, line 1 of title, by inserting after the word "State" the following "further providing for appeals to the Dauphin County Court;" Amend Sec. 6, page 6, line 1 by inserting after the word "Sections" the following "forty-one;" Amend Sec. 6, page 6, by inserting between lines 2 and 3 the following "Section 41. Appeals.—Any interested person may file a complaint in equity in the Court of Common Pleas of Dauphin County to determine the legality or constitutionality of any regulation. Within thirty days after the service of an adjudication (or if a petition for rehearing or reconsideration is filed pursuant to statutory authority, then within thirty days after service of the order, of the agency refusing such petition, or of the order following rehearing or reconsideration) any person aggrieved thereby who has a direct interest in such adjudication shall have the right to appeal therefrom. Such appeal shall be taken to the court of common pleas of Dauphin County. Parties interested, jointly, severally or otherwise, in the same adjudication may join in an appeal therefrom even though all of the interested parties do not join therein;" Amend Sec. 6, (Sec. 45), page 6, line 18 by inserting after the word "on" the following "a complaint in equity or."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 879, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 911, as follows:

An Act to further amend section six of the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge

the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by providing additional grounds for revocation of registration The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" as amended by the act approved the sixteenth day of May one thousand nine hundred twenty-one (P. L. 613) is hereby further amended to read as follows

Section 6 That the registration of any pharmacist or assistant pharmacist under this act of Assembly may be revoked by the [Pennsylvania] State Board of Pharmacy when the registration is proved to have been obtained by fraudulent means or suspended or revoked upon being convicted for a second violation in connection with the practice of pharmacy of any law of this Commonwealth or of the United States] for the following reasons

(1) Conviction of a second violation in connection with the practice of pharmacy of any law of this Commonwealth or of the United States

(2) Paying rebates to physicians or entering into an agreement with a physician for payment in any form for the recommending of the professional services of either party

Before any registration is suspended or revoked the holder of such registration certificate shall be given a hearing before the Board of Pharmacy after notice of the time and place of such hearing and of the charges made against him At such hearing the accused may be represented by counsel and shall be entitled to compulsory attendance of witnesses

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

- Barr, Barrett, Berger, Blass, Chapman, Crowe, Dent, Diehm, DiSilvestro, Doehla, Donlan, Farrell, Frazier, Geltz, Haluska, Hare, Holland, Homsher, Kephart, Lane, Leader, Letzler, Lord, Mahany, Mallery, McPherson, Jr., Meade, Neff, Pechan, Peelor, Robinson, Rosenfeld, Ruth, Scarlett, Snowden, Stevenson, Stiefel, Tallman, Tarr, Taylor, Toole, Wade, Wagner, Walker, Watkins, Watson, Wolfe, Wood, L. H., Wood, T. N., Yosko

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Hr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 912, on third reading, entitled:

An Act relating to and regulating the business of dry cleaning and dyeing as herein defined granting authority to and imposing duties upon the Department of Labor and Industry requiring approval by said Department of certain plans for dry cleaning and dyeing plants and the machinery equipment and systems used therein prescribing filing fees for applications for said approval providing for certain administrative and judicial review of the orders and decisions of said Department conferring authority upon certain employees of political subdivisions and representatives of the Pennsylvania State Police providing penalties for violations of the provisions of this act or the regulations adopted thereunder and repealing certain acts

go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 920, on third reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing for township planning and the creation organization and powers of township planning commission

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 946, as follows:

An Act to amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 759) entitled "An act providing for the acquisition and maintenance by the Department of Forests and Waters with the advice of the Bushy Run Battlefield Commission of the Bushy Run Battlefield and adjacent lands as a public historical park and for the erection of a monument or memorial therein authorizing the department to accept gifts for exhibition in and funds or securities to be invested for the benefit of said park imposing duties upon the Governor the Auditor General and the State Treasurer in connection with such funds or securities and making an appropriation" by authorizing the Bushy Run Battlefield Commission to accept gifts or bequests authorizing the commission to adopt and execute plans for the improvement preservation and maintenance of the park authorizing the commission to enter into agreements respecting highways railways railroads and other means of travel within the park and to regulate the travel and traffic over said park and police the same authorizing use of the park as a camping ground for the National Guard of Pennsylvania and permitting the erection of monuments or other memorials on the park grounds

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

Section 1 Section two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 759) entitled "An act providing for the acquisition and maintenance by the Department of Forests and

Water with the advice of the Bushy Run Battlefield Commission of the Bushy Run Battlefield and adjacent lands as a public historical park and for the erection of a monument or memorial therein authorizing the department to accept gifts for exhibition in and funds or securities to be invested for the benefit of said park imposing duties upon the Governor the Auditor General and the State Treasurer in connection with such funds or securities and making an appropriation" is hereby amended to read as follows

Section 2 The [Department of Forests and Waters is further authorized with the approval of the] Bushy Run Battlefield Commission is hereby authorized to receive for and in behalf of the Commonwealth gifts or bequests of relics or other objects of historical interest for public exhibition in a safe and suitable manner and to accept for the Commonwealth gifts and bequests of securities for the endowment of the work of the [department] commission in connection with said park in accordance with the instruction of the donors and the Secretary of Forests and Waters in conjunction with the Auditor General and State Treasurer shall constitute a body of trustees for the care of such funds invest the same in the bonds of this Commonwealth or of any political subdivision thereof and employ the interest and income from such investments for the maintenance and improvement of the park apply the same to such uses as may have been specified by the respective donors of such funds The State Treasurer shall be the custodian of all funds and securities held by said trustees hereunder

The Commission is hereby authorized to accept on behalf of the Commonwealth any gift of lands contiguous or adjacent to the lands taken or to be taken for the said park and to be held or used for the purposes thereof

Section 2 Said act is hereby amended by adding after section two thereof five new sections to read as follows

Section 3 The commission shall adopt plans for the improvement preservation and maintenance of said park and shall have power to carry the same into execution It shall have power to depute one or more persons as special constables to maintain order within said park protect the property from destruction and make arrests for riots and illegal trespasses

Section 4 The commission is hereby authorized to enter into agreements with officials charged with the duty of constructing and maintaining public roads or highways providing for the location or relocation of any public road or highway within the limits of the Bushy Run Battlefield and for grading widening narrowing elevating or depressing the same to such extent as may in the opinion of the said commission render them suitable for park roads or highways and the said commission is further authorized to make reasonable rules and regulations for policing the said roads or highways and for regulating the travel and traffic thereon and the use thereof within the said park Provided That no moneys shall be expended for such purposes by the said commission excepting out of the appropriations made from time to time by the General Assembly for the construction and maintenance of roads and avenues within the park limits And provided further That the duty of constructing and maintaining such public roads or highways shall remain with officials charged with the said duty by law as heretofore

Section 5 The commission is hereby authorized in behalf of and in the name of the Commonwealth to consent to the location relocation reconstruction reconstruction widening narrowing elevating depressing grading ornamenting or improving of any street railway electric railway elevated railway subway tunnel railroad or other means of travel or transportation within the limits of the Bushy Run Battlefield from such investments for the maintenance and improvement of the park apply the same to such uses as may have been specified by the respective donors of such funds The State Treasurer shall be the custodian of all funds and securities held by said trustee hereunder

Section 6 Section three of said act is hereby amended to read as follows

Section [3] 8 The sum of twenty-five thousand dollars (\$25,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the acquisition of lands the erection of a monument or memorial the improvement restoration and maintenance of said park and expenses incurred in carrying out the provisions of this act Payment from said appropriation shall be made by requisition of the Secretary of Forests and Waters on the Auditor General in the manner provided by law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 949, as follows:

An Act to repeal the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 535) entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor" in so far as it relates to counties of the second class and cities boroughs townships and school districts situate in such counties

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

Section 1 The act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 535) entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor" which was partially repealed by the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) is hereby repealed in so far as it relates to all counties of the second class and all cities boroughs townships and school districts situate in such counties

Section 2 The provisions of this act shall become effective on the first day of September one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally

The yeas and nays were taken agreeably to the provisions of the Constition, and were as follows, viz:

YEAS—50

- |              |                 |            |              |
|--------------|-----------------|------------|--------------|
| Barr,        | Geitz,          | Meade,     | Tarr,        |
| Barrett,     | Haluska,        | Neff,      | Taylor,      |
| Berger,      | Hare,           | Pechan,    | Toole,       |
| Blass,       | Holland,        | Peelor,    | Wade,        |
| Chapman,     | Homsher,        | Robinson,  | Wagner,      |
| Crowe,       | Kephart,        | Rosenfeld, | Walker,      |
| Dent,        | Lane,           | Ruth,      | Watkins,     |
| Diehm,       | Leader,         | Scarlett,  | Watson,      |
| DiSilvestro, | Letzler,        | Snowden,   | Wolfe,       |
| Doehla,      | Lord,           | Stevenson, | Wood, L. H., |
| Donlan,      | Mahany,         | Stiefel,   | Wood, T. N., |
| Farrell,     | Mallery,        | Tallman,   | Yosko,       |
| Frazier,     | McPherson, Jr., |            |              |

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No 992, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) 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 department 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" by making the Bushy Run Battlefield Commission a departmental administrative commission in the Department of Forests and Waters

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

Section 1 As much as applies to the Department of Forests and Waters of section two hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) 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 pre-

scribing the manner in which the number and compensation of the deputies an all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1015) and the act approved the sixth day of June one thousand nine hundred forty-five (P. L. 1398) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

- \* \* \* \* \*
- In the Department of Forests and Waters
- Water and Power Resources Board
- Geographic Board
- Pennsylvania State Park and Harbor Commission of Erie
- Washington Crossing Park Commission
- Valley Forge Park Commission
- Fort Washington Park Commission
- Bushy Run Battlefield Commission

Section 2 Section two hundred three of said act as last amended by the act approved the twelfth day of June one thousand nine hundred forty-seven (P. L. 584) is hereby further amended to read as follows

Section 203 Advisory Boards and Commissions The following advisory boards and commissions are placed in and made part of the respective administrative departments as follows

- In the Department of Military Affairs
- State Military Reservation Commission
- State Veterans' Commission
- In the Department of Forests and Waters
- State Forest Commission
- [Bushy Run Battlefield Commission]
- Flood Control Commission
- In the Department of Health
- Advisory Health Board
- In the Department of Labor and Industry
- Industrial Board
- In the Department of Welfare
- State Welfare Commission
- In the Department of Property and Supplies
- General Galusha Pennypacker Monument Commission

Section 3 Said act is hereby amended by adding after section four hundred fifty-four thereof a new section to read as follows

Section 455 Bushy Run Battlefield Commission The Bushy Run Battlefield Commission shall consist of the Secretary of Forests and Waters and the chairman of the Pennsylvania Historical and Museum Commission ex officio and six other members residing in the vicinity of the Bushy Run Battlefield State Park and having a knowledge of and interest in the history of the locality wherein said park is situated

The members of the commission shall annually elect a chairman and a secretary

Five members of the commission shall constitute a quorum

Section 4 Section one thousand eight hundred sixteen of said act is hereby amended to read as follows

Section 1816 Bushy Run Battlefield Commission The Bushy Run Battlefield Commission shall [have the right from time to time to meet for the purpose of considering and studying the work of the department with regard to the Bushy Run Battlefield State Park in Westmoreland County and to make recommendations and render advise to the department with reference to the conduct improvement and maintenanc thereof] exercise the powers and perform the duties by law vested in and imposed upon such commission

Section 5 Clause (d) of section four hundred forty-eight of said act as relettered (e) by the act approved the first day of June one thousand nine hundred thirty-one (P. L. 350) and amended by the act approved the sixth

day of June one thousand nine hundred forty-five (P. L. 1398) is hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazler,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1016, as follows:

An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the definition of "tractor" and adding the definition "farm tractor" and further providing for the classification of and the annual registration fees for tractors

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

Section 1 The definition of "tractor" in section one hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners

counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 851) is hereby further amended by adding after such definition of "tractor" a definition of "farm tractor" to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Tractor" Every vehicle of the tractor type which is self-propelled originally constructed under a distinctive name make model or type by a generally recognized manufacturer excepting [power shovels] road rollers [concrete mixers] ditch diggers or vehicles used exclusively upon stationary rails or tracks In the case of motor vehicles as defined in the Vehicle Code [upon which machinery has been permanently mounted] which cannot be used as motor vehicles the secretary may determine in each case whether or not such motor vehicle is of the tractor type and in making such determination the secretary shall consider the purpose for which such motor vehicle shall be used

"Farm Tractor" Every vehicle of the tractor type which is self-propelled designed and used primarily as a farm implement for drawing plows mowing machines and other implements of husbandry

Section 2 Section two hundred three and section five hundred one of said act as amended by the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 374) are hereby further amended to read as follows

Section 203 Classification Tractors for the purposes of this act shall be divided into [three] two classes

(a) First Class Tractors used exclusively for agricultural purposes road grading well drilling and production and transportation of supplementary machinery and appliances and also any motor vehicle as defined in the Vehicle Code upon which machinery has been permanently mounted and used exclusively for agricultural purposes road grading well drilling and production and transportation of supplementary machinery and appliances and determined by the secretary to be of the tractor type

(b) Second class Tractors used for industrial purposes and for all hauling on any highway except such hauling as is specified in subsection (a) of this section and also any motor vehicle as defined in the Vehicle Code upon which machinery has been permanently mounted and used for industrial purposes and for all hauling on any highway except such hauling as is specified in subsection (a) of this section and determined by the secretary to be of the tractor type

(c) Third class Odd type vehicles having a weight in excess of thirty thousand (30,000) pounds determined by the secretary to be of the tractor type

(a) First class Tractors used primarily as farm implements for drawing plows mowing machines farm wagons and other implements of husbandry or used as well-drilling and production equipment

(b) Second class Tractors used for industrial purposes and for all hauling on any highway except such hauling as is specified in clause (a) of this section

Section 501 Tractors The fee for the annual registration of a tractor of the first class required to be registered shall be five (\$5) dollars and for the annual registration of a tractor of the second class required to be registered shall be [fifty (\$50) dollars and for the annual registration of a tractor of the third class shall be one hundred (\$100) dollars] sixteen (\$16) dollars

Section 3 This act shall become effective immediately upon final enactment but the registration fee fixed by



this act shall first apply to registrations for the registration year commencing the first day of April one thousand nine hundred fifty The registration fee for the registration of any tractor for any period of time prior to the first day of April one thousand nine hundred fifty shall remain the same as prior to the effective date of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Dishm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1031, as follows:

An Act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and possessing with intent to sell of adulterated or deleterious ice cream french ice cream french custard frozen custard frozen ice confections frozen sherbet confections sherbet ice and fruit ice including coated ice cream and the coating thereof fixing standards for ice cream custard ice cream french ice cream french custard including sherbet frozen ice confections frozen sherbet confections frozen dairy confections ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing for licensing conferring powers and imposing duties upon the Department of Agriculture prescribing penalties and providing for the enforcement thereof

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

Section 1 For the purpose of this act "ice cream" is defined as any frozen sweetened milk product which is agitated during the process of freezing and includes every such frozen milk product which contains more than five per centum (5%) by weight of milk fat milk solids not fat or milk and milk solids not fat and which in any manner simulates the texture or characteristic of ice cream no matter under what coined or trade name it may be sold Ice cream shall be made from a combination of one or more of the following ingredients viz any clean and wholesome cream milk and all forms of milk fat and any clean and wholesome form of milk solids not fat with one or more of the following ingredients sucrose dextrose corn syrup invert sugar any of which may be in dry or

syrup form water flavor stabilizer emulsifier egg or egg products harmless color which does not conceal either damage or inferiority each of which ingredients shall be wholesome edible material The finished product may contain not more than one-half of one per centum (½ of 1%) by weight of stabilizer and may contain not more than one-fifth of one per centum (1/5 of 1%) by weight of emulsifier provided however that the stabilizer and/or emulsifier has been approved by the Department of Agriculture The finished product shall contain not less than ten per centum (10%) of milk fat by weight except when fruit nuts cocoa or chocolate cakes or confections are added for the purpose of flavoring then it shall contain not less than ten per centum (10%) by weight of milk fat except for such reduction in milk fat as is due to the addition of such flavoring but in no such case shall it contain less than eight per centum (8%) by weight of milk and chocolate and cocoa flavored ice cream shall in no event contain less than ten per centum (10%) of total fat

For the purpose of this act "custard ice cream" "french ice cream" "french custard" and "frozen custard" shall conform to the definition and standards hereinbefore defined for "ice cream" no matter under what trade or coined name it may be sold or offered for sale and in addition shall contain not less than one and four-tenths per centum (1.4%) by weight of egg yolk solids except when it contains fruit or nuts when it shall contain not less than one and one-tenth per centum (1.1%) by weight of egg yolk solids

For the purpose of this act "sherbet" is defined as any frozen sweetened fruit flavored product containing not less than three per centum (3%) nor more than five per centum (5%) by weight of total milk solids the process of manufacture of which is similar to the process of manufacture of ice cream no matter under what trade or coined name it may be sold or offered for sale Sherbet shall be made from any clean and wholesome cream milk and all forms of milk solids and one or more of the following sucrose dextrose corn syrup invert sugar any of which may be in dry or syrup form water fruit or fruit flavoring material stabilizer harmless color which does not conceal either damage or inferiority each of which ingredients shall be wholesome edible material The finished product may contain not more than one-half of one per centum (½ of 1%) by weight of stabilizer provided however that the stabilizer has been approved by the Department of Agriculture and shall contain not less than thirty-five one-hundredths per centum (0.35%) of harmless organic acid as determined by titration with standard alkali and calculated as lactic acid and derived in whole or in part from fruit flavoring material or by the addition of citric tartaric or lactic acid

For the purpose of this act "ice" or "fruit ice" is hereby defined as any frozen sweetened fruit flavored product the process of manufacture of which is similar to the process of manufacture of ice cream no matter under what trade or coined name it may be sold or offered for sale and shall contain no milk solids whatsoever It shall be made from a combination of some or all of the following ingredients viz sucrose dextrose corn syrup invert sugar any of which may be in dry or syrup form water stabilizer harmless coloring which does not conceal either damage or inferiority fruit or fruit flavoring material The finished product shall contain not less than thirty-five one-hundredths per centum (0.35%) of harmless organic acid as determined by titration with standard alkali and calculated as lactic acid and derived in whole or in part from the fruit or fruit flavoring material or by the addition of citric tartaric or lactic acid and the finished product may contain not more than one-half of one per centum (½ of 1%) by weight of stabilizer provided however that the stabilizer has been approved by the Department of Agriculture

For the purpose of this act "frozen ice confections" are defined as "ice" or "fruit ice" as herein defined manufac-

tured into factory-formed individual servings except they may be frozen without agitation and the acid requirements provided for in the definition of "ice" or "fruit ice" need not be met and imitation flavoring may be used when declared and the product so labeled "imitation"

For the purpose of this act "frozen sherbet confections" are defined as "sherbet" as herein defined manufactured into factory-formed individual servings except they may be frozen without agitation and the acid requirements provided for in the definition of "sherbet" need not be met and imitation flavoring may be used when declared and the product so labeled "imitation"

For the purpose of this act "imitation ice cream" or "ice cream substitute" are defined as (1) any frozen sweetened product regardless of the name under which it is manufactured sold or offered for sale which is made in imitation or semblance of or is manufactured in a manner similar to the process used in manufacturing but is not ice cream custard ice cream french ice cream frozen custard sherbet ice fruit ice frozen ice confection or frozen sherbet confection as defined in this act (2) any frozen sweetened product labeled as a product herein defined which does not comply with such defined standards

For the purpose of this act an "ice cream plant" shall mean any place premises or establishment where ice cream custard ice cream french ice cream frozen custard sherbet ice fruit ice frozen ice confection or frozen sherbet confection are manufactured prepared or processed for distribution or sale

Section 2 (a) It shall be unlawful for any person by himself or by his agents servants or employes to sell offer for sale expose for sale or have in possession with intent to sell ice cream custard ice cream french ice cream french custard frozen ice confections or frozen sherbet confections sherbet ice or fruit ice coated or uncoated or the coating thereof which is adulterated within the meaning of this act or to sell offer for sale or expose for sale or have in possession with intent to sell any imitation ice cream substitute as defined in this act

(b) It shall be unlawful for any person by himself or by his agents servants or employes to sell offer for sale expose for sale or have in possession with intent to sell any ice cream custard ice cream french ice cream french custard frozen custard frozen ice confections frozen sherbet confections sherbets ices or fruit ices coated or uncoated which are not registered with the Department of Agriculture as required in this act The possession of any such nonregistered product shall be deemed prima facie evidence of an intent to sell the same provided however that such establishments as hotels dining rooms and boarding houses where the above named products are produced and consumed only on the premises need not register such products with the Department of Agriculture

(c) It shall be unlawful to import into this Commonwealth for sale any ice cream custard ice cream french ice cream french custard frozen custard frozen ice confections frozen sherbet confections sherbet ice or fruit ice coated or uncoated unless the same are registered with and the manufacture thereof has been licensed by the Department of Agriculture as provided in this act

Section 3 Any frozen sweetened product referred to in this act shall be deemed to be adulterated within the meaning of this act

First If it contains any added preservative any artificial sweetner including saccharin dulcin or any other substance or compound that is deleterious to health

Second If it contains any coloring substance deleterious to health provided that this paragraph shall not be construed to prohibit the use of harmless coloring matter from a list of permitted coloring material established by the Department of Agriculture when such use does not conceal damage or inferiority

Third If it contains any deleterious flavoring matter or flavoring matter not true to name

Fourth If it contains any paraffin synthetic fats oils or

fats other than milk fats added to or blended or compounded with it provided however that chocolate ice cream may contain cocoa butter and the coating of coated ice cream may contain cocoa butter or other clean and wholesome edible vegetable oils and provided that the use of multifying products including lecithin of the nature of polyhydric alcohol esters of fatty acids when approved by the Department of Agriculture and used only to the extent herein provided shall not be deemed in violation of the foregoing provisions

Fifth If it is imitation ice cream or ice cream substitute as defined in this act

Sixth If it is offered for sale from any container compartment or cabinet which contains any article other than ice cream custard ice cream french ice cream french custard frozen custard frozen ice confections frozen sherbet confections sherbet ice or fruit ice except that ice cream custard ice cream french ice cream french custard frozen custard frozen ice confections frozen sherbet confections sherbet ice or fruit ice when properly wrapped or packaged by the manufacturer and in unbroken packages or containers for delivery to the consumer may be offered for sale from one or more separate compartments of a refrigerated container or cabinet of which other separate compartments contain properly wrapped unbroken and sealed packages of frozen foods ready for delivery to the consumer Nothing contained in this clause shall be construed to modify in any way section 4 of this act

Seventh If it falls below the standards or any of them fixed for the particular product by the definition thereof contained in this act or is falsely labeled or labeled contrary to the provisions of this act

Eighth If it is manufactured under conditions not in conformity with the provisions of section five of this act

Ninth If it contains less than one and eight-tenths (1.8) pounds total food solids per gallon in the finished product or weighs less than four and seventy-five hundredths (4.75) pounds per gallon or if any package or container of a different unit contains less than a proportionate amount of total food solids or weighs proportionately less

Section 4 (a) Every manufacturer shall plainly and distinctly mark every package or container of product sold as ice cream or custard ice cream french ice cream french custard frozen custard or "sherbet" or ice fruit ice or frozen ice confections or frozen sherbet confections or as a combination of these products The products so marked or labeled shall conform with the definitions or standards for such product in this act

(b) It shall be unlawful to sell offer for sale expose for sale or have in possession with intent to sell any ice cream custard ice cream french ice cream french custard frozen custard frozen ice combinations frozen sherbet confections sherbets ices or fruit ices in any container or package which is not plainly and distinctly marked with the name of the manufacturer and address of the plant of the manufacturer thereof or in lieu of such name and address the name and address of the distributor preceded or followed by the words distributed by or distributor Packages bearing a distributor's name and address in lieu of the actual name and address of the manufacturer must bear a code identifying the manufacturer and the plant where manufactured Such code record must be kept for five years from the date of sale of the product by both the manufacturer and the distributor and such records shall be open to inspection by the Department In addition when products are sold under a distributor's name and address the package or container must bear the words Registered with the Pennsylvania Department of Agriculture the following abbreviation being acceptable "Reg Penna Dept Agr" and the code mark shall immediately follow these words

(c) It shall be unlawful for any person to use or cause or allow to be used any equipment cabinet can or other container or refrigerating device belonging to one ice

cream manufacturer for the purpose of preserving or holding any ice cream custard ice cream french ice cream french custard frozen custard frozen ice confections frozen sherbet confections sherbet ice or fruit ice or any type of frozen food sold or furnished to him by any person not owning said equipment for for any person knowingly to supply or place or deposit ice cream custard ice cream french ice cream french frozen custard frozen ice confections frozen sherbet confections sherbet ice or fruit ice or any type of frozen food of one ice cream manufacturer or distributor in any equipment cabinet can or other container belonging to another ice cream manufacturer or distributor It is unlawful for any person other than the owner to remove erase obliterate cover or conceal any manufacturer's name insignia device or distinguishing mark which may appear or be placed on any ice cream equipment cabinet can or other container

Section 5 It shall be unlawful to operate any ice cream plant unless it shall be maintained and operated with strict regard for the purity and wholesomeness of the frozen sweetened products produced therein The entire establishment and its appertaining premises including fixtures furnishings machinery apparatus implements utensils receptacles and all equipment used in production keeping storing handling or distributing shall be maintained and operated in a clean sanitary manner. All equipment and utensils used in the production of any sweetened frozen product whose surfaces come in contact with any such product or any of the ingredients thereof shall be thoroughly sterilized after using The clothing habits and conduct of the employes shall be conducive to and promote cleanliness and sanitation There shall be proper suitable and adequate toilets and lavatories and equipment for cleansing constructed maintained and operated in a clean sanitary manner All places where ice cream custard ice cream french ice cream french custard frozen custard frozen ice confections frozen sherbet confections sherbet ice or fruit ice are made shall be enclosed and the freezers and fillers shall not be operated in a room access to which is allowed to the public unless the freezers fillers and raw materials are set apart in an enclosure so as to prevent contamination

Section 6 (a) It shall be the duty of every person whether resident or nonresident of this Commonwealth operating an ice cream plant or plants to apply to the Department of Agriculture for a license to do so and to register with the Department each plant and every brand of product produced or manufactured in such plant on or before the first day of January of each year or before any operation is undertaken if after January first and to pay to the Department at the time such application for registration and license is filed an annual license fee which shall expire on the following December thirty-first as follows

For each ice cream plant producing annually not in excess of one hundred thousand (100,000) gallons ten dollars (\$10) in excess of one hundred thousand (100,000) gallons and not in excess of two hundred and fifty thousand (250,000) gallons fifty dollars (\$50) and in excess of two hundred and fifty thousand (250,000) gallons one hundred dollars (\$100)

(b) The application for a license and registration shall be made on a form to be supplied by the Department The application shall have attached thereto the affidavit of the person or of some member or officer of the association co-partnership or corporation applying therefor stating that the facts set forth therein are true and correct

(c) Upon approval of application for registration and license and payment of required license fee and also approval of sanitary conditions in an ice cream plant the Department of Agriculture shall issue to each applicant a license or certificate of registration which shall expire at the end of each calendar year and which will authorize the operation of said plant for the calendar year or por-

tion thereof for which a license or certificate or registration shall be issued.

(d) Establishments such as hotel dining rooms and boarding houses where the products defined herein are produced and consumed only on the premises need not comply with the licensing and registration provisions of this act But the other provisions of this law shall apply to such establishments

Section 7 The Department of Agriculture is hereby authorized to revoke any license for cause and where it shall be properly ascertained that the ice cream plant is not operated in a proper and sanitary manner as hereinbefore provided

Section 8 The Department of Agriculture is charged with the enforcement of the provisions of this act provided however that this provision shall not prevent any person from making complaint in the usual manner before any magistrate alderman or justice of the peace of any city borough incorporated town or township of this Commonwealth where the alleged violation took place for a violation of the provisions of this act

Section 9 (a) Any person violating any of the provisions of this act or definition and standard of the Department of Agriculture made pursuant thereto shall for the first or second offense upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than twenty-five (\$25) nor more than one hundred dollars (\$100) and costs of prosecution or in default of such fine and costs in the case of an individual or the officers and members of an association partnership or corporation to undergo an imprisonment in the county jail of not less than thirty (30) days nor more than sixty (60) days and for a third or subsequent offense shall be guilty of a misdemeanor and sentenced to pay a fine not exceeding one thousand dollars (\$1000) or in the case of an individual or the officers and members of an association partnership or corporation to undergo an imprisonment not exceeding one year or both in the discretion of the court

All fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund

(b) The Attorney General at the request of the Department may in the name of the Commonwealth institute proceedings in equity in the Court of Common Pleas of Dauphin County for the purpose of enjoining the conduct of business in this Commonwealth contrary to the provisions of this act and for such purpose jurisdiction is hereby conferred upon said court In such case the Attorney General shall not be required to give bond

Section 10 (a) The provisions of this act shall not be construed to be impaired or in any way affected by the provisions of the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" or its amendments

Section 11 The act approved the thirty-first day of May one thousand nine hundred thirty-three (P. L. 1116) entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture safe offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice including coated ice cream and the coating thereof fixing standards for ice cream custard ice cream french ice cream french custard frozen custard dsherbet ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing penalties for the violation thereof and providing for the enforcement thereof" as amended is hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1048, as follows:

An Act to further amend clauses (a) (b) (c) and (f) of section three hundred six and sections three hundred seven and three hundred nine of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by changing the maximum and minimum rates and the total amounts and aggregate of compensation

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

Section 1 Clauses (a) (b) (c) and (f) of section three hundred six and section three hundred seven of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 671) are hereby further amended to read as follows

Section 306 The following schedule of compensation is hereby established for injuries resulting in total disability

(a) For the first five hundred weeks after the seventh day of total disability sixty-six and two-thirds per centum of the wages of the injured employe as defined in section three hundred and nine but the compensation shall not be more than twenty-five dollars per week nor less than [ten dollars] twelve dollars and fifty cents per week and shall not exceed in the aggregate the sum of [ten thousand] twelve thousand five hundred dollars Provided That if at the time of the injury the employe receives wages of less than [ten dollars] twelve dollars and fifty cents per week then he shall receive the full amount of such

wages per week as compensation but in no event less than [five dollars] six dollars and twenty-five cents per week Nothing in this clause shall require payment of compensation after disability shall cease Should partial disability be followed by total disability the period of five hundred weeks mentioned in this clause of this section shall be reduced by the number of weeks during which compensation was paid for such partial disability

(b) For disability partial in character (except the particular cases mentioned in clause (c)) sixty-six and two-thirds per centum of the difference between the wages of the injured employe as defined in section three hundred and nine and the earning power of the employe thereafter but such compensation shall not be more than [seventeen dollars] twenty-one dollars and twenty-five cents per week This compensation shall be paid during the period of such partial disability not however beyond three hundred weeks after the seventh day of disability Should total disability be followed by partial disability the period of three hundred weeks mentioned in this clause shall be reduced by the number of weeks during which compensation was paid for total disability The term "earning power" as used in this section shall in no case be less than the weekly amount which the employe receives after the accident and shall in no case be less than five times his actual daily wage as fixed by the day hour or by the output of the employe and in no instance shall an employe receiving compensation under this section receive more in compensation and wages combined than a fellow employe in similar employment

(c) For all disability resulting from permanent injuries of the following classes the compensation shall be exclusively as follows

For the loss of a hand sixty-six and two-thirds per centum of wages during one hundred and seventy-five weeks

For the loss of a forearm sixty-six and two-thirds per centum of wages during one hundred and ninety-five weeks

For the loss of an arm sixty-six and two-thirds per centum of wages during two hundred and fifteen weeks

For the loss of a foot sixty-six and two-thirds per centum of wages during one hundred and fifty weeks

For the loss of a lower leg sixty-six and two-thirds per centum of wages during one hundred and eighty weeks

For the loss of a leg sixty-six and two-thirds per centum of wages during two hundred and fifteen weeks

For the loss of an eye sixty-six and two-thirds per centum of wages during one hundred and twenty-five weeks

For the complete loss of hearing in both ears sixty-six and two-thirds per centum of wages during one hundred and fifty weeks

For the loss of a thumb sixty-six and two-thirds per centum of wages during sixty weeks

For the loss of a first finger commonly called index finger sixty-six and two-thirds per centum of wages during thirty-five weeks

For the loss of a second finger sixty-six and two-thirds per centum of wages during thirty weeks

For the loss of a third finger sixty-six and two-thirds per centum of wages during twenty weeks

For the loss of a fourth finger commonly called little finger sixty-six and two-thirds per centum of wages during fifteen weeks

The loss of the first phalange of the thumb or of any finger shall be considered equivalent to the loss of one-half of such thumb or finger and shall be compensated at the same rate as for the loss of a thumb or finger but for one-half of the period provided for the loss of a thumb or finger

The loss of more than one phalange of a thumb or finger shall be considered equivalent to the loss of the entire thumb or finger

For the loss of or permanent loss of the use of any two or more such members not constituting total disability sixty-six and two-thirds per centum of wages during the aggregate of the periods specified for each

For the loss of a great toe sixty-six and two-thirds per centum of wages during forty weeks

For the loss of any other toe sixty-six and two-thirds per centum of wages during sixteen weeks

The loss of the first phalange of the great toe or of any toe shall be considered equivalent to the loss of one-half of such great toe or other toe and shall be compensated at the same rate as for the loss of a great toe or other toe but for one-half of the period provided for the loss of a great toe or other toe

The loss of more than one phalange of a great toe or any toe shall be considered equivalent to the loss of the entire great toe or other toe

For the loss of or permanent loss of the use of any two or more such members not constituting total disability sixty-six and two-thirds per centum of wages during the aggregate of the periods specified for each

For serious and permanent disfigurement of the head or face of such a character as to produce an unsightly appearance and such as is not usually incident to the employment sixty-six and two-thirds per centum of wages not to exceed one hundred and fifty weeks

Unless the board shall otherwise determine the loss of both hands or both arms or both feet or both legs or both eyes shall constitute total disability to be compensated according to the provisions of clause (a)

Amputation at the wrist shall be considered as the equivalent of the loss of a hand and amputation at the ankle shall be considered as the equivalent of the loss of a foot Amputation between the wrist and the elbow shall be considered as the loss of a forearm and amputation between the ankle and the knee shall be considered as the loss of a lower leg Amputation at or above the elbow shall be considered as the loss of an arm and amputation at or above the knee shall be considered as the loss of a leg Permanent loss of the use of a hand arm foot leg eye finger or thumb great toe or other toe shall be considered as the equivalent of the loss of such hand arm foot leg eye finger or thumb great toe or other toe

This compensation shall not be more than twenty-five dollars per week nor less than [ten dollars] twelve dollars and fifty cents per week Provided That if at the time of injury the employe receives wages of less than [ten dollars] twelve dollars and fifty cents per week then he shall receive the full amount of such wages per week as compensation but in no event less than [five dollars] six dollars and twenty-five cents per week

(f) During the first [sixty] ninety days after disability begins the employer shall furnish reasonable surgical and medical services medicines and supplies as and when needed unless the employe refuses to allow them to be furnished by the employer The cost of such services medicines and supplies shall not exceed [one hundred and fifty dollars] (\$150) except that the board upon petition of the claimant may grant extra medical services for an additional thirty days not to exceed seventy-five dollars (\$75) two hundred and twenty-five dollars If the employer shall upon application made to him refuse to furnish such services medicines and supplies the employe may procure same and shall receive from the employer the reasonable cost thereof within the above limitations In addition to the above service medicines and supplies hospital treatment services and supplies shall be furnished by the employer for the said period of [sixty] ninety days except that the board upon petition of the claimant may grant an additional thirty days The cost for such hospital treatment service and supplies shall not in any case exceed the prevailing charge in the hospital for like services to other individuals If the employe shall refuse reasonable surgical medical and hospital services treatment medicines and supplies tendered to him by his employer he shall forfeit all rights to compensation for any injury or any increase in his incapacity shown to have resulted from such refusal whenever an employe shall have suffered the loss of a limb part of a limb or an eye the employer shall furnish to the employe in addition to the aforementioned surgical and medical services medicines and supplies an artificial limb or eye of a type and kind recommended by the doctor attending such employe in connection with such injury

Section 307 In case of death compensation shall be computed on the following basis and distributed to the following persons

1 If there be no widow nor widower entitled to compensation compensation shall be paid to the guardian of the child or children or if there be no guardian to such other persons as may be designated by the board as hereinafter provided as follows

(a) If there be one child twenty-five per centum of wages of deceased but not in excess of [seven dollars] eight dollars and seventy-five cents per week

(b) If there be two children thirty-five per centum of wages of deceased but not in excess of [ten dollars] twelve dollars and fifty cents per week.

(c) If there be three children forty-five per centum of wages of deceased but not in excess of [thirteen dollars] sixteen dollars and twenty-five cents per week

(d) If there be four children fifty-five per centum of wages of deceased but not in excess of [sixteen] twenty dollars per week

(e) If there be five children sixty-two and one-half per centum of wages of deceased but not in excess of [eighteen dollars] twenty-two dollars and fifty cents per week

(f) If there be six or more children sixty-six and two-thirds per centum of wages of deceased but not in excess of twenty-five dollars per week

2 To the widow or widower if there be no children forty-four per centum of wages but not in excess of [twelve] fifteen dollars per week

3 To the widow or widower if there be one child fifty-three per centum of wages but not in excess of [fifteen dollars] eighteen dollars and seventy-five cents per week

4 To the widow or widower if there be two children sixty-two and one-half per centum of wages but not in excess of [eighteen dollars] twenty-two dollars and fifty cents per week

4½ To the widow or widower if there be three or more children sixty-six and two-thirds per centum of wages but not in excess of twenty-five dollars per week

5 If there be neither widow widower nor children entitled to compensation then to the father or mother if dependent to any extent upon the employe at the time of the accident twenty-five per centum of wages but not in excess of [six dollars] seven dollars and fifty cents per week Provided however That in the case of a minor child who has been contributing to his parents the dependency of said parents shall be presumed And provided further That if the father or mother was totally dependent upon the deceased employe at the time of the accident the compensation payable to such father or mother shall be forty-five per centum of wages but not in excess of [eleven dollars] thirteen dollars and seventy-five cents per week

6 If there be neither widow widower children nor dependent parent entitled to compensation then to the brothers and sisters if actually dependent upon the decedent for support at the time of his death fifteen per centum of wages for one brother or sister and five per centum additional for each additional brother or sister with a maximum of twenty-five per centum such compensation to be paid to their guardian or if there be no guardian to such other person as may be designated by the board as hereinafter provided

7 Whether or not there be dependents as aforesaid the reasonable expense of burial not exceeding two hundred and fifty dollars which shall be paid by the employer or insurer directly to the undertaker (without deduction of any amounts theretofore paid for compensation or for medical expenses)

Compensation shall be payable under this section to or on account of any child brother or sister only if and while such child brother or sister is under the age of sixteen No compensation shall be payable under this section to a widow unless she was living with her deceased husband at the time of his death or was then actually dependent upon him and receiving from him a substantial portion of her support No compensation shall be payable

under this section to a widower unless he be incapable of self-support at the time of his wife's death and be at such time dependent upon her for support If members of decedent's household at the time of his death the terms "child" and "children" shall include step-children adopted children and children to whom he stood in loco parentis and shall include posthumous children Should any dependent of a deceased employe die or remarry or should the widower become capable of self-support the right of such dependent or widower to compensation under this section shall cease Provided however That upon remarriage of any widow the compensation of such widow shall continue as hereinbefore provided for one-third of the period during which compensation then remains payable to her Provided further That if upon investigation and hearing it shall be ascertained that the widow or widower is living with a man or woman as the case may be in meretricious relationship and not married or the widow living a life of prostitution the board may order the termination of compensation payable to such widow or widower If the compensation payable under this section to any person shall for any cause cease the compensation to the remaining persons entitled thereunder shall thereafter be the same as would have been payable to them had they been the only persons entitled to compensation at the time of the death of the deceased

The wages upon which death compensation shall be based shall not in any case be taken to exceed [thirty dollars] thirty-seven dollars and fifty cents per week nor be less than [seventeen dollars] twenty-one dollars and twenty-five cents per week

This compensation shall be paid during three hundred weeks and in the case of children entitled to compensation under this section the compensation of each child shall continue after said period of three hundred weeks until such child reaches the age of sixteen at the rate of seventeen and one-half per centum of wages but not in excess of [four and a half dollars] five dollars and seventy-five cents per week if there is one child twenty-seven and one-half per centum of wages but not in excess of [seven dollars] eight dollars and seventy-five cents per week if there are two children thirty-eight and one-half per centum of wages but not in excess of [ten dollars] twelve dollars and fifty cents per week if there are three children fifty per centum of wages but not in excess of [thirteen dollars] sixteen dollars and twenty-five cents per week if there are four children fifty-five per centum of wages but not in excess of [fourteen dollars] seventeen dollars and fifty cents per week if there are five children and sixty per centum of wages but not in excess of [sixteen] twenty dollars per week if there are six children or more

The board may if the best interest of a child or children shall so require at any time order and direct the compensation payable to a child or children or to a widow or a widower on account of any child or children to be paid to the guardian of such child or children or if there be no guardian to such other person as the board a hereinafter provided may direct If there be no guardian or committee of any minor dependent or insane employe or dependent on whose account compensation is payable the amount payable on account of such minor dependent or insane employe or dependent may be paid to any surviving parent or to such other person as the board may order and direct and the board may require any person other than a guardian or committee to whom it has directed compensation for a minor dependent or insane employe or dependent to be paid to render as and when it shall so order accounts of the receipts and disbursements of such person and to file with it a satisfactory bond in a sum sufficient to secure the proper application of the moneys received by such person

Section 2 Section three hundred nine of said act as last reenacted and amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 520) is hereby further amended to read as follows

Section 309 Whenever in this article the term "wages"

is used it shall be construed to mean the average weekly wages of the employe ascertained as follows

(a) If at the time of the accident the wages are fixed by the week the amount so fixed shall be the average weekly wage

(b) It at the time of the accident the wages are fixed by the month the average weekly wage shall be the monthly wag so fixed multiplied by twelve and divided by fifty-two

(c) If at the time of the accident the wages are fixed by the year the average weekly wage shall be the yearly wage so fixed divided by fifty-two

(d) If at the time of the accident the wages are fixed by the day hour or by the output of the employe the average weekly wage shall be the wage most favorable to the employe computed by dividing by thirteen the total wages of said employe earned in the employ of the employer in the first second third or fourth period of thirteen consecutive calendar weeks in the fifty-two weeks immediately preceding the accident or in case the employe receives wages monthly or semi-monthly by dividing by thirteen the total wages of said employe earned in the employ of the employer in the first second third or fourth period of three consecutive calendar months in the year immediately preceding the accident

If the employe has been in the employ of employer less than thirteen calendar weeks (or three calendar months if the employe receives wages monthly or semi-monthly) immediately preceding the accident his average weekly wage shall be computed under the foregoing paragraph taking "total wages" for such purpose to be the amount he would have earned had he been so employed by employer the full thirteen calendar weeks (or three calendar months) immediately preceding the accident and had worked when work was available to other employes in a similar occupation unless it be conclusively shown that by reason of exceptional causes such methods of computation does not ascertain fairly the "total wages" of employe so employed less than thirteen calendar weeks (or three calendar months)

(e) In occupations which are exclusively seasonal and therefore cannot be carried on throughout the year the average weekly wage shall be taken to be one-fifth of the total wages which the employe has earned from all occupations during the twelve calendar months immediately preceding the accident unless it be shown that during such year by reason of exceptional causes such method of computation does not ascertain fairly the earnings of the employe in which case the period for calculation shall be extended so far as to give a basis for the fair ascertainment of his average weekly earnings

The terms "average weekly wage" and "total wages" as used in this section shall include board and lodging received from the employer and when so received the board shall be rated at [fifty cents] one dollar per day and board together with lodging shall be rated at [one] dollar] two dollars per day but such terms shall not include gratuities received from the employer or others nor shall such terms include amounts deducted by the employer under the contract of hiring for labor furnished or paid for by the employer and necessary for the performance of such contract by the employe nor shall such terms include deductions from wages due the employer for rent and supplies necessary for the employe's use in the performance of his labor

Where the employe is working under concurrent contracts with two or more employers and the defendant employer has knowledge of such employment prior to the accident his wages from all such employers shall be considered as if earned from the employer liable for compensation

If under clauses (a) (b) (c) (d) and (e) of this section the amount determined is less than if computed as follows this computation shall apply viz divide the total wages earned by the employe during the last two completed calendar quarters with the same employer by the number of days he worked for such employer during such period multiplied by five

Section 3 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, in discussing House Bill No. 1048, I hope that the remarks that the speakers make will pertain to the entire list of so-called labor bills.

Mr. President, we have before us House Bill No. 1048, House Bill No. 1049, and House Bill No. 1060, commonly called the Workmen's Compensation, Workmen's Unemployment Compensation, and Workmen's Occupational Disease Compensation bills.

Mr. President, all of us know that the primary struggle in the passage of this legislation was the inclusion within the framework of the Workmen's Compensation and the Occupational Disease Compensation Acts, the so-called "Romig Decision". For those who do not understand is as such, I would like to explain that no matter what the top limit may be in Workmen's Compensation, unless there is a reasonable base from which to compute the payments to the injured workmen, the top limit would mean absolutely nothing. In other words, as it was understood, the bills, preliminary to the inclusion of the "Romig Decision" within the acts, provided that if an injured workmen happened to work in an industry where they were employed on a part time or short time basis, such as the anthracite industry has been experiencing over the years, an individual could be injured on a work day, on a Monday or Tuesday, in an industry that was based on a two day work week, and he would find himself receiving even below the minimum that is contained within the act. Labor's primary struggle, therefore, and labor's primary aim was contained in the amendments offered yesterday by the gentleman from Potter, Senator Berger. These amendments brought this particular legislation up to a par with the base computation period used in any state in the Union. In fact, considering that our state has as its basic industry, coal and steel, I would say that we are far ahead of other states in that particular department, and I want to join with all the others who believe that labor is intitled to certain rights in the legislation passed here in the Senate and House, and I want to join with all the others in complimenting those who had anything to do with the inclusion of these amendments into the acts of Unemployment Compensation, Workmen's Compensation, and Occupational Disease Compensation.

For many, many years, Mr. President, we have tried to raise the so-called benefit period, and benefit payments. At this time, although the labor groups in Pennsylvania, through their representatives made a very valiant fight in the House of Representatives to increase the weekly payments to \$35 on the part of the Congress of Industrial Organizations, and \$32.50 on the part of the American Federation of Labor, and although the votes were taken in the House, and upon one or two occassions were only defeated by one vote and two votes, the House did succeed in passing one amendment, and that was the one pertaining to the "Romig Decision".

We, the Members of the Senate, who believe that the

payments could go a little higher in order that they would compare with states such as New York, Oregon, South Carolina, Texas, and Washington, yet there are a great many persons who, when you mention the fact that they are asking for \$35 a week in Workmen's Compensation and Occupational Disease Compensation, throw their hands up in horror, and say, "That is an impossibility. How could anybody pay such an enormous sum for an injured workman?" Yet, we find states like the State of Washington, with \$38 a week maximum payment for injured workers, the State of New Jersey with \$25, and these figures, mind you, are the figures of the states before this year's meetings of their General Assemblies, and it is understood, of course, that in almost every instance there has been a revision upward in compensation payments in the various states in the Union.

Mr. President, Pennsylvania, up until these amendments were added to these three bills, paid a maximum of \$20, and at that paticular time, while we were paying and are paying \$20 as of the moment, thirty-one other states started the year 1949 paying higher workmen's compensation benefits. I think that is important to know here because I understand that some of the Members of the Senate are voting for this legislation, voting loudly, yes, but shaking their heads negatively, very vigorously, because they feel that the payments are entirely out of line, and too high.

Mr. President, if you understand that workmen's compensation is paid only to injured workmen, then you can see, and I want to lay down at this moment a belief that I have, and a feeling that I have, that we are making one grievous mistake here, and that is when we set the payments for Workmen's Compensation, Occupational Disease Compensation, and Unemployment Compensation on the same basis, and on the same weekly payments. I do not think there is any comparison whatsoever between the three types of compensation. I think Unemployment Compensation ought to stand entirely on its own, because when you are paying a man that is out of work temporarily, that is entirely a different basis of need than when you are paying a man who is injured in employment because I think that the three ought to be separated, and I think we are getting off to a false start in setting up a precedent that some day may injure those of us who are aiming to increase in the future, as the time demands, the payments for occupational and injured workmen's compensation. It does not necessarily follow that the other compensation ought to come up on the same grade. I say that, although there may be a great deal of criticism because of the remarks that I make, but I beleve that to be the sounder method of the two, and that we ought to keep that in mind when we again sit down to revise Workmen's Compensation.

Mr. President, it has been a great struggle in Pennsylvania because under our present set up, the basic industry of coal in Pennsylvania suffers very much when payments are increased in Workmen's Compensation, and that because years ago the coal industry allowed itself to be dicriminated against, they allowed themselves to be set up into a seperate classification, and into a fund of their own. Now, knowing the coal industry is a high risk industry, it probably was never called to the attention of the Members of the General Assembly until 1935, 1936 and 1937 that coal was the determining factor in the

limited amounts of compensation to be paid because those of us who want to pay the maximum amounts are always confronted with the very serious charge that we are injuring an already injured industry.

Now, if I had my way, and if the coal industry had its way, Mr. President, I am sure that coal would be put into the common pool in order that the rates would then be set upon the total injuries sustained all over the industry. It seems to me that we deal in compensation from the viewpoint of economics too much when, basically and truthfully, workmen's compensation is more or less social legislation than it is economic legislation, and yet however, it is true that if you let economics out of it, we would have no social legislation because of the fact that there must be some relationship between cost and benefits.

Mr. President, I would like to see the day come when we could take and place in Pennsylvania a limit by law, as they have in the state of West Virginia, where they try to protect their coal industry. The state of West Virginia puts the coal industry in a highly favorable competitive position as against Pennsylvania because of increased cost of Compensation as reflected in higher sales cost of the coal production of this Commonwealth, and we all know, as I have already stated on the floor, that we find that industry now rather prostrate and in a difficult situation when it comes to commercial competition. I, for one, will say that sooner or later we must come to it, sooner or later we must take all the risks, and put them together so that we can give greater payments to the injured workmen without doing damage to one industry.

Mr. President, it is too bad that the general commercial industry, the general industry of this Commonwealth of ours, has always been able to use coal as the bulwark of its fight against increased payments for workmen. This \$25 maximum is long over due. We, the Democratic Party, have fought for it since 1937. If those of you will allow your minds to go back, you will remember that in 1935 we introduced the first \$25 maximum, in 1937 we passed the first \$25 maximum compensation law, and had it partially destroyed by a decision of the Supreme Court. I have not thought out the consequences as to whether or not the Supreme Court will maintain the same position if and when this particular bill is taken before them. However, I do say that it is long overdue, but we are not going to be so blind as to say to you that because it is long overdue, we are not welcoming it. We welcome this increased payment to the injured workmen in Pennsylvania. We do say that it could be more, we do say that it should be more, but we are not going to say that we will be against it because it is insufficient. That is one of the oldest tricks in the legislative books.

Years ago they tell me there were certain men who used to serve in the Halls of this Senate, who, when a proposal was made to increase workmen's compensation \$1 or \$2 per week, would always stand up and demand that it should be increased \$8 or \$10 per week, and then they would stand in the position and say "If you won't give us \$8 or \$10, we don't want any", and as a result of that, from 1915 until 1935, there was no increased workmen's compensation benefits in the Commonwealth of Pennsylvania. We do not take that blind and arrogant attitude. We are grateful for the fact that we, at this time, can say to labor, "Something has been added, some additional benefit has been given", and we also will say that we will

continue to believe, and will continue to strive for better and greater benefits as the time demands, so that greater benefits will be paid.

Mr. President, I want to say, in order that all of you understand, there are a great many things I am not going to cover. I am not going to cover the whole field, but in order that you know that we have not reached, as I said last night, the ultimate, we have not reached the ultimate, it might interest you to know this, that Pennsylvania's minimum payment is \$7.48 a week, and twenty-two other states in the Union pay more. When you figure that out of the forty-eight states, there are at least twenty-seven of the forty-eight states that are non-industrial in character that are more or less of the agricultural state, you can see that we do not fit very high up on the ladder.

Up until the passage of the act, Pennsylvania's maximum, as I told you before, was \$20. Thirty-one states paid more. Pennsylvania's minimum actual wage, if the actual wage is not under \$5, is \$10 under workmen's compensation, and sixteen states pay more than that. Pennsylvania's total maximum by law is \$10,000, and twenty-three states pay more, and I think that it is important that you know this.

Mr. President, I would like to give you one illustration here which ought to be very interesting to those of you who have any compunctions about voting for this legislation today. As to the maximum amount payable for scheduled injuries, twenty-five states in the Union pay more than Pennsylvania. For instance, Wisconsin pays, for the loss of an arm up at the shoulder, \$12,950. A great many other states pay sums ranging from \$7,000 to \$12,950. We find ourselves, in Pennsylvania, in the position of being twenty-sixth on the list of States.

Now, Mr. President, it might interest some of you to know that we are not increasing the benefit period by this legislation, we are increasing benefit payments over the specified weeks now contained within the law. I think that one of the greatest humanitarian and social acts ever passed in this Commonwealth was the original Workmen's Compensation Act. I believe that many helpless workmen were aided in the early days, when under the old act, or rather under the old common law, unless they were influential they could not hope to gain for their families some relief when injured in employment.

Mr. President, I think this is one of the greatest steps forward since 1937, and I want to say at this moment, if the Members of the Senate will analyze the situation, that this step is a very important step in Pennsylvania.

Mr. President, I join with all friends of labor in the Commonwealth in saying that for the moment we will take this legislation, and hope that in the future, when the need arises, and it does and will arise, we will fight for greater payments.

Mr. ROSENFELD. Mr. President, in concurring in the remarks of my colleague from Westmoreland, Senator Dent, I would like to add this comment. By the Senate going along in a great part in what was done in the House in computing compensation by the wage rate, a considerable measure of justice is being shown. All of us are glad to see this. The wording used to accomplish this desirable purpose is clear. As we understand it, two purposes are intended, to be fair to both employer and employee. First, compensation is based on the wage rate. If a man is injured and he is thereby prevented from working full time,



at least so long as the injury lasts, his compensation should be on the five day week as the standard working time could he work. Secondly, compensation, plus earnings thereafter, should be limited by what the injured man could have earned full time had he not been hurt at his previous occupation. This is important, especially where the man can no longer do what he previously did, and has to accept a job at lower pay. On the other hand, Mr. President, an injured fellow employee does not want the injured man going home with more in his pocket for the week than he got before he was injured.

Under these circumstances, we can accept the amendments, and find in the wording, as we agreed to and understand it, what is fair to all concerned.

Mr. NEFF. Mr. President and Members of the Senate, I might well say that I am in complete accord with everything said by my distinguished colleagues from Westmoreland and from Philadelphia, and it is difficult, and it seems without purpose for me to rise here and speak on these measures when I, too, am going to vote in the affirmative.

Mr. President, I would first like to express my sincere appreciation to those majority Members of the Senate Committee on Labor and Industry who worked so diligently to see that labor was treated equitably in the matter of the "Romig Decision". I am appreciative for their efforts, and for those Members of the Majority Caucus who also voted in favor of inserting this amendment in this act, but labor has asked for greater consideration than we are being given by the Senate of Pennsylvania, and the House of Pennsylvania in this 1949 Session. We have not asked for anything that we have not found was justified, and to say that by voting for these measures that the trade unionists in this state are getting their full share, were being treated in fairness and with equity, would not be true.

For example, Mr. President, myself and other Members of the Minority Group here in the Senate have introduced for consideration a great number of bills during this session. For instance, Senate Bill No. 360, if acted upon favorably, would have adequately liberalized the Compulsory Occupational Disease Act; Senate Bill No. 361 would have adequately liberalized the Compulsory Workmen's Compensation Act; Senate Bill No. 520 would have made vocational rehabilitation complete; Senate Bill No. 314 would have removed experience rating; Senate Bill No. 316 would have adequately liberalized benefits; Senate Bill No. 518 would have extended the coverage footing; Senate Bill No. 166 would have repealed the 1947 law against state employees; Senate Bill No. 256 would have extended Civil Service to qualified 1943 employees; Senate Bill No. 79 would have equalized the anti-injunction laws; and Senate Bill No. 309 would have established a standard forty hour work week for women, and so on.

Mr. President, we have introduced many measures during this Session, and the sum total of our gains for labor and for the working people of the Commonwealth has been an increase of \$5 per week in unemployment compensation, \$5 per week additional to the Occupational Disease Act, and \$5 per week to the Workmen's Compensation Act. Now, these things we have asked for, we have felt fair. For instance, in the Occupational Disease Act, we find that a worker in Pennsylvania, disabled because of silicosis contracted in the mills and the mines of Pennsylvania, receives as a total payment the sum of \$5,000, or

an amount that he might well be able to have earned, had he not been disabled because of silicosis, in a year or two years at the most.

Mr. President, we have had in the last four years in Pennsylvania 1,546 eligible claims submitted to the Workmen's Compensation Bureau because of silicosis. Now, it is my contention that a man who is disabled because he has contractor silicosis, is just as disabled as though he had had his legs cut off, or his arms cut off, or were blinded. Yet, if a man is blinded in Pennsylvania, if he is totally disabled, he will receive far greater benefits than a man who is afflicted with silicosis.

So, Mr. President, I submit that to eliminate silicosis from full coverage under the Occupational Disease Act is an injustice to those workers in the foundries, mills, factories, mines and quarries of this state who are subject to this type of industrial disease.

Mr. President, I had hoped when I came down here that we might do something in the 1949 Session of this legislature to correct this inequity. Well, we have done nothing except raise the benefits from \$4500 to \$5000. As the gentleman from Westmoreland, Senator Dent, has painted out, there are a great many states in the Union that more adequately cover and protect the workmen than we do here in Pennsylvania, the greatest of all industrial states. In Pennsylvania, for death in a mine, or factory, or if a workmen is totally disabled, with certain exceptions, the limit in payment under this new amended Act amounts to \$12,500. We have at least twenty other states that pay, for total disability, \$20, \$25, and \$31 a month for life, and for death, to the widow, for the term of her widowhood, and scale payments for children up to the age of eighteen.

Now, Mr. President, it seems to me that we have not fully considered the responsibilities of industry, and of the Commonwealth, and of the Senate of Pennsylvania in saying to our peoples in the mills and the mines, that if you are killed in industry, \$12,500 is the total payment that will be paid to your heirs, or if you are totally disabled \$12,500 is the total that you can receive under the Workmen's Compensation Act, or the Occupational Disease Act. I think that we here in Pennsylvania should not be second to any state in the Nation in the care and consideration of our workmen.

And the question recurring,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House

of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1049, as follows:

An Act to further amend section four hundred four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by increasing benefits

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

Section 1 Section four hundred four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as last amended by the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1186) is hereby further amended to read as follows

Section 404 Rate and Amount of Compensation Compensation shall be paid to each eligible employe in accordance with the following provisions of this section except that compensation payable with respect to weeks ending in benefit years which begin prior to the first day of July one thousand nine hundred forty-nine shall be paid on the basis of the provisions of this section in effect at the beginning of such benefit years

(a) The employe's weekly benefit rate shall be that rate which appears in "Part B" and which is on the same horizontal line in "Part A" as the interval which includes his "highest quarterly wage"

(b) The "highest quarterly wages" of an employe shall be the total wages (computed to the nearest dollar) which were paid to such employe in that calendar quarter in which such total wages were highest during the base year

(d) Each eligible employe who is unemployed with respect to any week shall be paid with respect to such week compensation in an amount equal to his weekly benefit rate less that part of the remuneration if any paid or payable to him with respect to such week which is in excess of three dollars (\$3.00) such compensation if not a multiple of one dollar (\$1.00) shall be computed to the next higher multiple of one dollar (\$1.00) Provided That if at the end of any calendar quarter the balance in the Unemployment Trust Fund to the credit of Pennsylvania is less than one and one-half times the highest amount paid out for compensation less any refunds during any twelve consecutive months the maximum amount of compensation payable to any employe for a week of unemployment

ending during the next calendar quarter shall not be in excess of [eighteen dollars (\$18)] twenty dollars (\$20)

(e) Any otherwise eligible employe shall be entitled during his benefit year to an amount equal to his weekly benefit rate multiplied by the number which appears at the top of a column under "Part C" to be ascertained by locating on the same horizontal line on which his weekly benefit rate appears the interval which includes the total wages paid to him during his base year Provided That if at the end of any calendar quarter the balance in the Unemployment Trust Fund to the credit of Pennsylvania is less than one and one-half times the highest amount paid out for compensation less any refunds during any twelve consecutive months no employe shall be paid compensation with respect to weeks of unemployment ending during the next calendar quarter in an amount which together with any amounts previously paid with respect to the same benefit year would be in excess of [sixteen] twenty times the employe's weekly benefit rate or [two hundred and eighty-eight dollars (\$288)] four hundred dollars (\$400) whichever is the lesser [And provided further That no employe shall be paid compensation in excess of twenty times his weekly benefit rate with respect to any benefit year which begins prior to the first day of October one thousand nine hundred forty-seven]

(f) For purposes of this section and of section four hundred one (a) wages paid with respect to employment performed under Shipping Articles shall be considered as having been paid in the respective calendar quarters in which the services of the employe were being performed

Tables Specified for the Determination of Rate and Amount of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Part A Highest Quarterly Wages	Part B Weekly Benefit Rate	9	10	11
\$60-212	\$8	\$240-265	\$266-293	\$294-321
213-237	9	270-298	299-330	331-361
238-262	10	300-332	333-367	368-402
263-287	11	330-365	366-403	404-442
288-312	12	360-398	399-440	441-482
313-337	13	390-431	432-476	477-522
338-362	14	420-464	465-513	514-562
363-387	15	450-498	499-550	551-603
388-412	16	480-531	532-587	588-643
413-437	17	510-564	565-624	625-683
438-462	18	540-598	599-661	662-724
463-487	19	570-632	633-698	699-765
488 [or more]-512	20	600-665	666-735	736-805
513-537	21	630-698	699-771	772-845
538-562	22	660-731	732-808	809-885
563-587	23	690-764	765-845	846-925
588-612	24	720-798	799-882	883-966
613 or more	25	750-831	832-918	919-1006

Tables Specified for the Determination of Rate and Amount of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Part C Base Year Wages				
12	13	14	15	16
\$322-349	\$350-377	\$378-405	\$406-433	\$434-461
362-393	394-424	425-456	457-487	488-519
403-437	438-472	473-507	508-542	543-577
443-480	481-519	520-557	558-596	597-634
483-524	525-566	567-608	609-650	651-692
523-567	568-613	614-658	659-704	705-749
563-611	612-660	661-709	710-758	759-807
604-655	656-708	709-760	761-813	814-865
644-699	700-755	756-811	812-867	868-923

684-743	744-802	803-862	863-921	922-981
725-787	788-850	851-913	914-976	977-1039
766-831	832-898	899-964	965-1031	1032-1097
806-875	876-945	946-1015	1016-1085	1086-1155
846-918	919-992	993-1065	1066-1139	1140-1212
886-962	963-1039	1040-1116	1117-1193	1194-1270
926-1006	1007-1086	1087-1167	1168-1247	1248-1328
967-1050	1051-1134	1135-1218	1219-1302	1303-1386
1007-1093	1094-1181	1182-1268	1269-1356	1357-1443

Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsber,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

Tables Specified for the Determination of Rate and Amount of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Part A Highest Quarterly Wages	Part B Weekly Benefit Rate	17	18	19
\$60-212	\$8	\$462-489	\$490-517	\$518-545
213-237	9	520-550	551-582	583-613
238-262	10	578-612	613-647	648-682
263-287	11	635-673	674-711	712-750
288-312	12	693-734	735-776	777-818
313-337	13	750-795	796-840	841-886
338-362	14	808-856	857-905	906-954
363-387	15	866-918	919-970	971-1023
388-412	16	924-979	980-1035	1036-1091
413-437	17	982-1040	1041-1100	1101-1159
438-462	18	1040-1102	1103-1165	1166-1228
463-487	19	1098-1164	1165-1230	1231-1297
488 [or more]-512	20	1156-1225	1226-1295	1296-1365
513-537	21	1213-1286	1287-1359	1360-1433
538-562	22	1271-1347	1348-1424	1425-1501
563-587	23	1329-1408	1409-1489	1490-1569
588-612	24	1387-1470	1471-1554	1555-1638
613 or more	25	1444-1531	1532-1618	1619-1706

Tables Specified for the Determination of Rate and Amount of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Part C Base Year Wages				
20	21	22	23	24
\$546-573	\$574-601	\$602-629	\$630-657	\$658 or more
614-645	646-676	677-708	709-739	740 or more
683-717	718-752	753-787	788-822	823 or more
751-788	789-827	828-865	866-904	905 or more
819-860	861-902	903-944	945-986	987 or more
887-931	932-977	978-1022	1023-1068	1069 or more
955-1003	1004-1052	1053-1101	1102-1150	1151 or more
1024-1075	1076-1128	1129-1180	1181-1233	1234 or more
1092-1147	1148-1203	1204-1259	1260-1315	1316 or more
1160-1219	1220-1278	1279-1338	1339-1397	1398 or more
1229-1291	1292-1354	1355-1417	1418-1480	1481 or more
1298-1363	1364-1430	1431-1496	1497-1563	1564 or more
1366-1435	1436-1505	1506-1575	1576-1645	1646 or more
1434-1506	1507-1580	1581-1653	1654-1727	1728 or more
1502-1578	1579-1655	1656-1732	1733-1809	1810 or more
1570-1650	1651-1730	1731-1811	1812-1891	1892 or more
1639-1722	1723-1806	1807-1890	1891-1974	1975 or more
1707-1793	1794-1881	1882-1968	1969-2056	2057 or more

Section 2 This act shall become effective on the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barz, Geitz, Meade, Tarr,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House bill No. 1060, as follows:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by making beryllium poisoning an occupation disease changing the maximum and minimum rates and total amounts and aggregate of compensation extending the time in which disability must occur and further defining conditions for payment

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

Section 1 Clause (a) of section one hundred eight and section two hundred four of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" are hereby amended to read as follows

Section 108 The term "occupational disease" as used in this act shall mean only the following diseases

(A) Poisoning by arsenic lead mercury [or] maganese or beryllium their preparations or compounds in any occupation involving direct contact with handling thereof or exposure thereto

Section 204 No agreement compensation or release of damages made before the date of any disability or death resulting from occupational disease except the agreement defined in article three of this act shall be valid or shall bar a claim for damages for such disability or death and any such agreement other than that defined in article three herein is declared to be against the public policy of

this Commonwealth The receipt of benefits from any association society or fund shall not bar the recovery of damages by action at law nor the recovery of compensation under article three hereof and any release executed in consideration of such benefits shall be void provided however that if the employe receives unemployment compensation benefits such amount or amounts so received shall be credited as against the amount of the award made under the provisions of the occupational disease act

Section 2 Clauses (A) and (C) of section three hundred one clause (A) of which was amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (Pamphlet Laws 661) clauses (A) (B) (C) and (F) of section three hundred six and section three hundred seven of said act as amended by the act approved the eighteenth day of May one thousand nine hundred forty-five P. L. 661) are hereby further amended to read as follows

Section 301 (a) When employer and employe shall by agreement either express or implied as hereinafter provided accept the provisions of article three of this act compensation for disability or death of such employe caused by occupational disease arising out of and in the course of his employment shall be paid by the employer without regard to negligence according to the schedule contained in sections three hundred and six and three hundred and seven of this article but

1 No compensation shall be paid when the disability or death is caused by the employe's violation of law but the burden of proof of such fact shall be upon the employer

2 The maximum compensation payable under this article for disability and death resulting from silicosis anthraco-silicosis or asbestosis shall not exceed the sum of [four thousand dollars (\$4000)] five thousand dollars (\$5000) which shall be full and complete payment for all disability present or future or for death from such occupational diseases arising out of employment by any and all employers in this Commonwealth

\* \* \* \* \*

(c) Compensation for the occupational diseases enumerated in this act shall be paid only when such occupational disease is peculiar to the occupation or industry in which the employe was engaged and not common to the general population [and occurring within one year after the date of his last employment in such occupation or industry] whenever compensable disability or death is mentioned as a cause for compensation under this act it shall mean only compensable disability or death resulting from occupational disease and occurring within three years after the date of his last employment in such occupation or industry

Section 306 The following schedule of compensation is hereby established for total disability resulting from occupational disease subject to the limitations of section 301

(a) For the first five hundred weeks after the seventh day of total disability sixty-six and two-thirds per centum of the wages of the disabled employe as defined in section three hundred and nine but the compensation shall not be more than twenty-five dollars per week nor less than [ten dollars] twelve dollars and fifty cents per week and shall not exceed in the aggregate the sum of [ten thousand] twelve thousand five hundred dollars Provided That if at the date when disability begins the employe receives wages of less than [ten dollars] twelve dollars and fifty cents per week then he shall receive the full amount of such wages per week as compensation but in no event less than six dollars and twenty-five cents per week Nothing in this clause shall require payment of compensation after disability shall cease Should partial disability be followed by total disability the period of five hundred weeks mentioned in this clause of this section shall be reduced by the number of weeks during which compensation was paid for such partial disability

(b) For disability partial in character (except the particular cases mentioned in clause (c) ) sixty-six and two-thirds per centum of the difference between the wages of

the disabled employe as defined in section three hundred and nine and the earning power of the employe thereafter but such compensation shall not be more than [seventeen dollars] twenty-one dollars and twenty-five cents per week This compensation shall be paid during the period of such partial disability not however beyond three hundred weeks after the seventh day of disability Should total disability be followed by partial disability the period of three hundred weeks mentioned in this clause shall be reduced by the number of weeks during which compensation was paid for total disability The "earning power" as used in this section shall in no case be less than the weekly amount which the employe receives after disability begins and shall in no case be less than five times his actual daily wage as fixed by the day hour or by the output of the employe and in no instance shall an employe receiving compensation under this section receive more in compensation and wages combined than a fellow employe in similar employment

(c) For all disability resulting from loss or loss of the use of members resulting from occupational disease the compensation shall be exclusively as follows

For the loss of a hand sixty-six and two-thirds per centum of wages during one hundred and seventy-five weeks

For the loss of a forearm sixty-six and two-thirds per centum of wages during one hundred and ninety-five weeks

For the loss of an arm sixty-six and two-thirds per centum of wages during two hundred and fifteen weeks

For the loss of a foot sixty-six and two-thirds per centum of wages during one hundred and fifty weeks

For the loss of a lower leg sixty-six and two-thirds per centum of wages during one hundred and eighty weeks

For the loss of a leg sixty-six and two-thirds per centum of wages during two hundred and fifteen weeks

For the loss of an eye sixty-six and two-thirds per centum of wages during one hundred and twenty-five weeks

For the complete loss of hearing in both ears sixty-six and two-thirds per centum of wages during one hundred and fifty weeks

For the loss of a thumb sixty-six and two-thirds per centum of wages during sixty weeks

For the loss of a first finger commonly called index finger sixty-six and two-thirds per centum of wages during thirty-five weeks

For the loss of a second finger sixty-six and two-thirds per centum of wages during thirty weeks

For the loss of a third finger sixty-six and two-thirds per centum of wages during twenty weeks

For the loss of a fourth finger commonly called little finger sixty-six and two-thirds per centum of wages during fifteen weeks

The loss of the first phalange of the thumb or of any finger shall be considered equivalent to the loss of one-half of such thumb or finger and shall be compensated at the same rate as for the loss of a thumb or finger but for one-half of the period provided for the loss of a thumb or finger

The loss of more than one phalange of a thumb or finger shall be considered equivalent to the loss of the entire thumb or finger

For the loss of or permanent loss of the use of any two or more such members not constituting total disability sixty-six and two-thirds per centum of wages during the aggregate of the periods specified for each

For the loss of a great toe sixty-six and two-thirds per centum of wages during forty weeks

For the loss of any other toe sixty-six and two-thirds per centum of wages during sixteen weeks

The loss of the first phalange of the great toe or of any toe shall be considered equivalent to the loss of one-half of such great toe or other toe and shall be compensated at the same rate as for the loss of a great toe

or other toe but for one-half of the period provided for the loss of a great toe or other toe

The loss of more than one phalange of a great toe or any toe shall be considered equivalent to the loss of the entire great toe or other toe

For the loss of or permanent loss of the use of any two or more such members not constituting total disability sixty-six and two-thirds per centum of wages during the aggregate of the periods specified for each

Unless the board shall otherwise determine the loss of both hands or both arms or both feet or both legs or both eyes shall constitute total disability to be compensated according to the provisions of clause (a)

Amputation at the wrist shall be considered as the equivalent of the loss of a hand and amputation at the ankle shall be considered as the equivalent of the loss of a foot Amputation between the wrist and the elbow shall be considered as the loss of a forearm and amputation between the ankle and the knee shall be considered as the loss of a lower leg Amputation at or above the elbow shall be considered as the loss of an arm and amputation at or above the knee shall be considered as the loss of a leg Permanent loss of the use of a hand arm foot leg eye finger or thumb great toe or other toe shall be considered as the equivalent of the loss of such hand arm foot leg eye finger or thumb great toe or other toe

This compensation shall not be more than twenty-five dollars per week nor less than [ten dollars] twelve dollars and fifty cents per week Provided That if at the time of disability the employe receives wages of less than [ten dollars] twelve dollars and fifty cents per week then he shall receive the full amount of such wages per week as compensation but in no event less than [five dollars] six dollars and twenty-five cents per week

\* \* \* \* \*

(f) During the first [sixty] ninety days after disability begins the employer shall furnish reasonable surgical and medical services medicines and supplies as and when needed unless the employe refuses to allow them to be furnished by the employer. The cost of such services medicines and supplies shall not exceed [one hundred and fifty dollars] except that the board upon petition of the claimant may grant extra medical services for an additional thirty days not to exceed seventy-five dollars] two hundred and twenty-five dollars If the employer shall upon application made to him refuse to furnish such services medicine and supplies the employe may procure same and shall receive from the employer the reasonable cost thereof within the above limitations In addition to the above service medicines and supplies hospital treatment services and supplies shall be furnished by the employer for the said period of [sixty] ninety days [except that the board upon petition of the claimant may grant an additional thirty days] The cost for such hospital treatment service and supplies shall not in any case exceed the prevailing charge in the hospital for like services to other individuals If the employe shall refuse reasonable surgical medical and hospital services medicines and supplies tendered to him by his employer he shall forfeit all rights to compensation for disability or any increase in his disability shown to have resulted from such refusal

\* \* \* \* \*

Section 307 In case of death resulting from occupational disease compensation shall be computed on the following basis and distributed to the following persons subject to the limitations of section 301

1 If there be no widow nor widower entitled to compensation compensation shall be paid to the guardian of the child or children or if there be no guardian to such other persons as may be designated by the board as hereinafter provided as follows

(a) If there be one child twenty-five per centum of wages of deceased but not in excess of [seven] eight dollars and seventy-five cents per week

(b) If there be two children thirty-five per centum of

wages of deceased but not in excess of [ten dollars] twelve dollars and fifty cents per week

(c) If there be three children forty-five per centum of wages of deceased but not in excess of [thirteen] sixteen dollars and twenty-five cents per week

(d) If there be four children fifty-five per centum of wages of deceased but not in excess of [sixteen dollars] twenty dollars per week

(e) If there be five children sixty-two and one-half per centum of wages of deceased but not in excess of [eighteen] twenty-two dollars and fifty cents per week

(f) If there be six or more children sixty-six and two-thirds per centum of wages of deceased but not in excess of twenty-five dollars per week

2 To the widow or widower if there be no children forty-four per centum of wages but not in excess of [twelve] fifteen dollars per week

3 To the widow or widower if there be one child fifty-three per centum of wages but not in excess of [fifteen dollars] eighteen dollars and seventy-five cents per week

4 To the widow or widower if there be two children sixty-two and one-half per centum of wages but not in excess of [eighteen] twenty-two dollars and fifty cents per week

5 To the widow or widower if there be three or more children sixty-six and two-thirds per centum of wages but not in excess of twenty-five dollars per week

6 If there be neither widow widower nor children entitled to compensation then to the father or mother if dependent to any extent upon the employe at the time of his death twenty-five per centum of wages but not in excess of [six] seven dollars and fifty cents per week Provided however That in the case of a minor child who has been contributing to his parents the dependency of said parents shall be presumed And provided further That if the father or mother was totally dependent upon the deceased employe at the time of his death the compensation payable to such father or mother shall be forty-five per centum of wages but not in excess of [eleven] thirteen dollars and seventy-five cents per week

7 If there be neither widow or widower children nor dependent parent entitled to compensation then to the brothers and sisters if actually dependent upon the decedent for support at the time of his death fifteen per centum of wages for one brother or sister and five per centum additional for each additional brother or sister with a maximum of twenty-five per centum such compensation to be paid to their guardian or if there be no guardian to such other person as may be designated by the board as hereinafter provided

8 Whether or not there be dependents as aforesaid the reasonable expense of burial not exceeding two hundred and fifty dollars which shall be paid by the employer or insurer directly to the undertaker (without deduction of any amounts theretofore paid for compensation or for medical expenses)

Compensation shall be payable under this section to or on account of any child brother or sister only if and while such child brother or sister is under the age of sixteen No compensation shall be payable under this section to a widow unless she was living with her deceased husband at the time of his death or was then actually dependent upon him and receiving from him a substantial portion of her support No compensation shall be payable under this section to a widower unless he be incapable of self-support at the time of his wife's death and be at such time dependent upon her for support If members of decedent's household at the time of his death the terms "child" and "children" shall include stepchildren adopted children and children to whom he stood in loco parentis and shall include posthumous children Should any dependent of a deceased employe die or remarry or should the widower become capable of self-support the right of such dependent or widower to compensation under this section shall cease Provided however That upon remarriage of any widow the compensation of such widow shall continue as hereinbefore provided for one-third of

the period during which compensation then remains payable to her. Provided further That if upon investigation and hearing it shall be ascertained that the widow or widower is living with a man or woman as the case may be in meretricious relationship and not married or the widow living a life of prostitution the board may order the termination of compensation payable to such widow or widower. If the compensation payable under this section to any person shall for any cause cease the compensation to the remaining persons entitled thereunder shall thereafter be the same as would have been payable to them had they been the only persons entitled to compensation at the time of the death of the deceased.

The wages upon which death compensation shall be based shall not in any case be taken to exceed [thirty dollars] thirty-seven dollars and fifty cents per week nor be less than [seventeen dollars] twenty-one dollars and twenty-five cents per week.

This compensation shall be paid during three hundred weeks and in the case of children entitled to compensation under this section the compensation of each child shall continue after said period of three hundred weeks until such child reaches the age of sixteen at the rate of seventeen and one-half per centum of wages but not in excess of [four and a half dollars] five dollars and seventy-five cents per week if there is one child twenty-seven and one-half per centum of wages but not in excess of [seven] eight dollars and seventy-five cents per week if there are two children thirty-eight and one-half per centum of wages but not in excess of [ten dollars] twelve dollars and fifty cents per week if there are three children fifty per centum of wages but not in excess of [thirteen] sixteen dollars and twenty-five cents per week if there are four children fifty-five per centum of wages but not in excess of [fourteen] seventeen dollars and fifty cents per week if there be five children and sixty per centum of wages but not in excess of [sixteen dollars] twenty dollars per week if there be six children or more.

The board may if in the best interest of a child or children shall so require at any time order and direct the compensation payable to a child or children or to a widow or a widower on account of any child or children to be paid to the guardian of such child or children or if there be no guardian to such other person as the board as hereinafter provided may direct. If there be no guardian or committee of any minor dependent or insane employe or dependent on whose account compensation is payable the amount payable on account of such minor dependent or insane employe or dependent may be paid to any surviving parent or to such other person as the board may order and direct and the board may require any person other than a guardian or committee to whom it has directed compensation for a minor dependent or insane employe or dependent to be paid to render as and when it shall so order accounts of the receipts and disbursements of such person and to file with it a satisfactory bond in a sum sufficient to secure the proper application of the moneys received by such person.

Section 3 Clause (a) of section three hundred eight of said act as last amended by the act approved the twelfth day of June one thousand nine hundred forty-one (Pamphlet Laws 125) is hereby further amended to read as follows:

Section 308 (a) When compensation is awarded because of disability or death caused by silicosis anthraco-silicosis asbestosis or any other occupational disease which developed to the point of disablement only after an exposure of five or more years the compensation for disability or death due to such disease shall be paid jointly by the employer and the Commonwealth in accordance with the following provisions if disability begins between October 1 1939 and September 30 1941 both dates inclusive the employer shall be liable for and pay fifty per centum of the compensation due and the Commonwealth fifty per centum thereof thereafter depending upon the date when disability begins the proportions of compensation for which the employer and the Commonwealth shall re-

spectively become liable shall be if disability begins between October 1 1941 and September 30 1943 the employer sixty per centum and the Commonwealth forty per centum if between October 1 1943 and September 30 1945 the employer seventy per centum and the Commonwealth thirty per centum if between October 1 1945 and September 30 1947 the employer eighty per centum and the Commonwealth twenty per centum if between October 1 1947 and September 30 [1949] 1951 the employer ninety per centum and the Commonwealth ten per centum the employer shall pay the full amount of compensation provided in this act for disability or death in all cases where disability begins on or after October 1 [1949] 1951.

Section 4 Section three hundred nine and four hundred two of said act are hereby amended to read as follows:

Section 309 Wherever in this article the term "wages" is used it shall be construed to mean the average weekly wages of the employe ascertained as follows:

(a) If at the time of the disability the wages are fixed by the week the amount so fixed shall be the average weekly wage.

(b) If at the time of the disability the wages are fixed by the month the average weekly wage shall be the monthly wage so fixed multiplied by twelve and divided by fifty-two.

(c) If at the time of the disability the wages are fixed by the year the average weekly wage shall be the yearly wage so fixed divided by fifty-two.

(d) If at the time of the disability the wages are fixed by the day hour or by the output of the employe the average weekly wage shall be the wage most favorable to the employe computed by dividing by thirteen the total wages of said employe earned in the employ of the employer in the first second third or fourth period of thirteen consecutive calendar weeks in the fifty-two weeks immediately preceding the accident or in case the employe receives wages monthly or semimonthly by dividing by thirteen the total wages of said employe earned in the employ of the employer in the first second third or fourth period of three consecutive calendar months in the year immediately preceding the accident.

If the employe has been in the employ of employer less than thirteen calendar weeks (or three calendar months) if the employe receives wages monthly or semi-monthly immediately preceding the disability his average weekly wage shall be computed under the foregoing paragraph taking "total wages" for such purpose to be the amount he would have earned had he been so employed by employer the full thirteen calendar weeks (or three calendar months) immediately preceding the disability and had worked when work was available to other employes in a similar occupation unless it be conclusively shown that by reason of exceptional causes such method of computation does not ascertain fairly the "total wages" of the employe so employed less than thirteen calendar weeks (or three calendar months).

(e) In occupations which are exclusively seasonal and therefore cannot be carried on through the year the average weekly wage shall be taken to be one-fiftieth of the total wages which the employe has earned from all occupations during the twelve calendar months immediately preceding the disability unless it be shown that during such year by reason of exceptional causes such method of computation does not ascertain fairly the earnings of the employe in which case the period for calculation shall be extended so far as to give a basis for the fair ascertainment of his average weekly earnings.

The terms "average weekly wage" and "total wages" as used in this section shall include board and lodging received from the employer and when so received the board shall be rated at fifty cents per day and board together with lodging shall be rated at one dollar per day but such terms shall not include gratuities received from the employer or others nor shall such terms include amounts deducted by the employer under the contract of hiring for labor furnished or paid for by the employer and necessary for the performance of such contract by the

employe nor shall such terms include deductions from wages due the employer for rent and supplies necessary for the employe's use in the performance of his labor

Where the employe is working under concurrent contracts with two or more employers and the defendant employer has knowledge of such employment prior to the disability his wages from all such employers shall be considered as if earned from the employer liable for compensation

If under clauses (a) (b) (c) (d) and (e) of this section the amount determined is less than if computed as follows this computation shall apply viz divide the total wages earned by the employe during the last two completed calendar quarters with the same employer by the number of days he worked for such employer during such period multiplied by five

Section 402 (a) [Immediately after this act becomes effective the Governor shall request the deans of all legally recognized medical schools in Pennsylvania to serve as a committee whose duty it shall be to nominate ten physicians especially qualified by training and experience for membership on the medical board of the ten nominees three shall be roentgenologists and three shall be pathologists the committee of deans shall certify its nominations to the secretary of labor and industry] the governor shall request each dean of legally recognized medical schools in Pennsylvania to submit the names of three physicians including a roentgenologist and a pathologist whom they consider especially qualified by training or experience for membership on the medical board

(b) [From the names certified to him as aforesaid the secretary of labor and industry with the approval of the Governor shall select a medical board of three members which shall include one roentgenologist and one pathologist members of the medical board shall serve without term and shall receive for their entire service in each case submitted to them the sum of one hundred dollars (\$100) their compensation and necessary traveling expenses shall be paid out of the appropriation to the department for the administration of this act] from the names submitted in accordance with subsection (a) the Governor shall select and appoint a medical board of three members including a roentgenologist and a pathologist the members of the medical board shall serve without term and each shall receive for his entire services a salary at the rate of eight thousand five hundred dollars (\$8500) per annum except the chairman who so designated by the Governor shall receive a salary at the rate of nine thousand dollars (\$9000) per annum their compensation and necessary traveling expenses shall be paid out of the appropriation to the department for the administration of this act

(c) [From time to time the Governor may request the deans of all legally constituted medical schools in Pennsylvania to certify additional lists of names to the secretary of Labor and Industry such lists shall contain six names of whom two shall be roentgenologists and two pathologists] in the event of a vacancy the Governor shall select the appointee from a new list to be submitted by the deans in accordance with the provisions of subsection (a)

[(d) With the approval of the governor the secretary of Labor and Industry may from time to time fill vacancies in the membership of the medical board from the names certified to him by said deans of medical schools]

[(e)] The medical board shall have the power and its duty shall be to hear and determine controverted medical issues in cases arising under this act in accordance with the provisions of section 420 and its reports and findings shall be conclusive except that upon appeal to the courts the courts may inquire into the question whether the findings were based upon sufficient competent evidence

Section 5 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr.	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier.	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1077, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of certain tracts of land in Allegheny County Pennsylvania for use in connection with the Moon Township Airport and ceding jurisdiction to the United States

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

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eight section of the first article of the Constitution of the United States to the acquisition by the United States of America of two tracts of land lying in the County of Allegheny Pennsylvania for use in connection with an airport officially designated Moon Township Airport the first tract being bounded and described as follows

Beginning for the same at a stone on the east side of S H R No 02006 it being a corner common to the land now or formerly belonging to H E Tener and the land now or formerly belonging to J McDonald and running thence with and binding on the outlines of New County Airport as the same is shown on the plat prepared by the Allegheny County Planning Commission Property Plan dated February 1943 Park H Martin Planning Engineer the 3 following courses and distances viz N 21° 59' W 416.29 feet S 73° 14' W 1090 feet to a stone N 6° 38' 30" W 1255 feet more or less thence for lines of division now made through said Airport the 3 following courses and distances viz N 88° W 2220 feet more or less N 3° 00' W 1425 feet more or less and N 48° 02' 22" E 1405 feet more or less to the outlines of said Airport thence with and binding thereon the 58 following courses and distances viz 71° 43' 30" W 2667.0 feet S 11° 26' 30" W 150.98 feet S 88° 11' 30" W 271.92 feet to the center of a Township Road S 4° 43' 30" E Binding on center line of said road 732.70 feet S 10° 46' 30" W 477.25 feet N 77° 43, 30" W 108.90 feet to a stone on the west side of said Township Road S 41° 39' W 1180.95 feet N 2° 15' W 108.90 feet S 85° 54' W 1672.70 feet to a

stone S 70° 46' W 534.58 feet to a stone S 71° 42' 30" W 696.30 feet S 81° 07' 30" W 1098.47 feet N 6° 21' E 2192.88 feet to the center line of the Township Road which runs along the north outline of said Airport thence with and binding on the center line of said Township Road and still on the outline of said airport the 6 following courses and distances viz S 69° 02' W 610.52 feet S 55° 33' W 438.71 feet S 72° 09' W 217.80 feet S 74° 14' W 736.0 feet S 71° 55' W 159.90 feet and S 89° 35' W 366.50 feet thence S 12° 57' 30" E leaving said Township Road and still binding on the outlines of said Airport 371.46 feet to a stone N 80° 21' 30" E 342.69 feet to a stone S 12° 08' E 707.18 feet N 81° 01' 30" E 312.25 feet to a stone S 12° 10' 30" E 634.31 feet to a stone S 81° 07' 30" W 122.73 feet S 12° 52' 30" E 1490.80 feet S 39° 36' W 949.22 feet S 24° 09' E 420.75 feet to a White oak tree N 74° 36' E 1443.23 feet to a stone S 60° 04' E 761.50 feet S 27° 25' 30" E 831.60 feet S 29° 33' 30" E 508.30 feet N 46° 14' E 1211.90 feet to an iron pin N 80° 27' 30" E 464.66 feet to a white oak tree N 80° 01' E 1612.32 feet to a stone S 29° 13' E 445.0 feet S 39° 19' E 1105.78 feet S 89° 25' 30" E 432.30 feet to a point in the center line of the Cliff Mine and Coraopolis Heights Road thence still binding on the outline of said airport and with the center of said road the 11 following courses and distances viz S 7° 49' E 165.64 feet feet southeasterly by a line curving toward the left with a radius of 150.07 feet for a distance of 175.75 feet S 74° 55' E 446.53 feet southerly by a line curving toward the right with a radius of 68.93 feet for a distance of 55.59 feet S 28° 43' E 124.08 feet southeasterly by a line curving toward the left with a radius of 203.08 feet for a distance of 105.72 feet S 58° 33' E 509.15 feet southeasterly by a line curving toward the right with a radius of 275.48 feet for a distance of 138.85 feet S 29° 39' E 77.49 feet southeasterly by a line curving toward the right with a radius of 305.19 feet for a distance of 85.42 feet and S 13° 39' E 120.57 feet thence N 49° 45' E leaving said last mentioned road still binding on the outlines of said airport 33.97 feet thence still on the outlines of said airport N 21° 26' W 264.0 feet to a stone S 57° 25' E 30.40 feet N 31° 11' 30" E 2136.73 feet S 36° 17' 30" E 312.65 feet N 46° 24' 10" E 1519.08 feet N 36° 30' W 610.80 feet S 89° 40' 30" E 1145.19 feet to a stone and N 56° 14' E 165.56 feet to the place of beginning containing 1026.573 acres of land

The second tract is bounded and described as follows  
Beginning for the same at a point on the third line of the land described above as the first parcel at the distance of 1255 feet more or less along said line from a stone at the beginning thereof and running thence the three (3) following courses and distances for lines of division now made through the Moon Township Airport viz N 88° 00' W 2220 feet more or less N 3° 00' W 1425 feet more or less and W 48° 02' 22' E 1405.0 feet more or less to intersect the perimeter boundary of said Airport and thence with and binding on said perimeter boundary the seven (7) following courses and distances viz S 71° 43' 30" E 160 feet more or less S 83° 04' E 610.60 feet S 21° 38' 30" W 165 feet S 83° 04' E 264 feet S 21° 38' 30" W 301.45 feet N 72° 36' 30" E 183.42 feet to the end of the third line in said above referred to first parcel and thence S 6° 38' 30" E binding thereon reversely 1915 feet more or less to the place of beginning containing 102.0 acres of land more or less

Section 2 Exclusive jurisdiction in and over the aforesaid lands is hereby ceded to the United States of America by the Commonwealth of Pennsylvania for the erection of forts magazines arsenals dock yards and other needful buildings to be used by the United States for military and other public purposes with the exception of roads abutting on said lands which are not already under the jurisdiction of the United States

Section 3 The jurisdiction so ceded to the United States is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the land and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged

with crime committed outside said land may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said lands shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political subdivisions upon property persons and franchises within the boundaries so ceded

Section 5 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1086, as follows:

An Act authorizing the recorder of deeds in counties of the first class to appoint and empower clerks employed in his office to administer oaths and affirmations

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

Section 1 The recorder of deeds in counties of the first class may appoint and empower one or more clerks employed in his office to administer oaths and affirmations to all persons pertaining to the business of the recorder's office with the same force and effect as if administered by the recorder or deputy recorder

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,



Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1093, as follows:

An Act establishing a certain section of road over State-owned lands as a State Highway and providing for the construction and maintenance at the expense of the Commonwealth

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

Section 1 The following section of a road over State-owned lands shall be adopted by the Commonwealth as a State Highway to be constructed and maintained at the expense of the Commonwealth under the provisions of present or future laws governing State highways

Beginning at a point on Route 12001 about .6 of a mile north of the Clearfield-Cameron County line thence southerly and northeasterly in Gibson and Grove Townships to a point on Route 12001 about .46 of a mile south of Route 105 in Cameron County a distance of about 8.5 miles

Section 2 The highway established as State highway under the provisions of this act may be taken over for construction and maintenance at any time subsequent to the final enactment of this act when the same shall become effective and shall be taken over not later than the first day of January one thousand nine hundred fifty

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1098, as follows:

An Act to further amend section fourteen of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for an additional option at superannuation

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

Section 1 Section fourteen of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) is hereby further amended to read as follows

## Options

Section 14 At the time of his or her superannuation retirement any contributor may elect to receive his or her benefits in a retirement allowance payable throughout life or [if such retirement allowance amounts to less than ten dollars (\$10) per month] he or she may elect to receive the full amount of the accumulated deductions standing to his or her individual credit in the annuity saving account or he or she may on superannuation retirement elect to receive the actuarial equivalent at that time of his or her member's annuity State annuity or retirement allowance in a lessor member's annuity or a lesser State annuity or a less retirement allowance payable throughout life with the provisions that

Option 1 If he or she die before receiving in payments the present value of his or her member's annuity State annuity or retirement allowance as it was at the time of his or her retirement the balance shall be paid to his or her legal representatives or to such person having an insurable interest in his or her life as he or she shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his or her retirement

Option 2 Upon his or her death his or her member's annuity State annuity or retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his or her life as he or she shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his or her retirement

Option 3 Upon his or her death one-half of his or her member's annuity State annuity or retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his or her life as he or she shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his or her retirement

Option 4 Some other benefit or benefits shall be paid to either the contributor or such other person or persons as he or she shall nominate provided such other benefit or benefits shall together with such lesser member's an-

nuity or lesser State annuity or lesser retirement allowance be certified by the actuary of the retirement board to be of equivalent actuarial value and shall be approved by the retirement board

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1102, entitled:

An Act defining cold storage requiring licenses to operate cold storage warehouses and locker plants requiring records reports marking wrapping protecting limiting time of storage disposition sale return or transfer of foods in cold storage conferring powers on the Department of Agriculture including adoption of rules and regulations special permits for storage feeding stuffs for animal use and providing penalties for violation of this act.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. LLOYD H. WOOD. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there any objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 1, page 2, line 14, by inserting after the word "not" and before the word "used" the following: "principally."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1102, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1140, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of The Coal Mine Sealing Act of 1947

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

Section 1 The sum of one million four hundred seven thousand dollars (\$1,407,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Mines for the purpose of administering the provisions of the Coal Mine Sealing Act of 1947 for the two fiscal years beginning June first one thousand nine hundred forty-nine

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1153, as follows:

An Act to further amend section two of the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. five hundred eighty-nine) entitled as amended "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the first class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of said streets providing for the taking opening relocation widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city or either of them and authorizing agreements between cities and the Commonwealth for the opening taking relocating widening or change of grade of said streets and designating the city as agent of the Commonwealth in such opening taking relocating widening or change of grade and the determination of damages to private property arising therefrom imposing duties on such cities and on public utility companies using such streets authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction regulating the replacement of certain

facilities of public utility companies prohibiting the making of any opening in said street after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes as indicated and adding certain new routes

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

Section 1 The following routes established by section two of the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. 589) entitled as amended "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the first class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of said streets providing for the taking opening relocation widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city or either of them and authorizing agreements between cities and the Commonwealth for the opening taking relocating widening or change of grade of said streets and designating the city as agent of the Commonwealth in such opening taking relocating widening or change of grade and the determination of damages to private property arising therefrom imposing duties on such cities and on public utility companies using such streets authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction regulating the replacement of certain facilities of public utility companies prohibiting the making of any opening in said street after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" as amended by the act approved the tenth day of July one thousand nine hundred forty-one (P. L. 345) and as further amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 786) are hereby deleted as indicated or amended to read as follows

Section 2 The city streets to be taken over under the provisions of this act in the cities hereinafter named shall be designated by numbers to be hereafter assigned by the Secretary of Highways and are situate and described as follows

In the City of Philadelphia

Beginning at [a point on the Philadelphia City-Yeadon Borough line on Baltimore Avenue thence over Baltimore Avenue to an intersection with Forty-second Street thence northerly over Forty-second Street to an] the intersection of Thirty-ninth Street with Spring Garden Street thence easterly over Spring Garden Street to an intersection with Thirty-first Street thence northerly over Thirty-first Street to an intersection with Haverford Avenue thence westerly over Haverford Avenue to an intersection with [Forty-second Street] Lancaster Avenue [thence southerly over Forty-second Street to the intersection of Forty-second Street and Spring Garden Street] beginning again at the intersection of Thirty-first Street and Spring Garden Street thence easterly over Spring Garden Street to an intersection with the Parkway thence southeasterly over the Parkway to City Hall beginning again at the intersection of [the Parkway] Ridge Avenue and Race Street thence easterly over Race Street to the Delaware River Bridge approach beginning again at the intersection of the Delaware River Bridge approach and Vine Street thence westerly over Vine Street to an intersection with the [Parkway] proposed route along the west bank of the Schuylkill River a distance of about [8.25] 4.99 miles

Beginning at [a point on the Philadelphia City-Milbourne Borough line thence over Market Street to an intersection with Cobb's Creek Parkway thence southerly over Cobb's Creek Parkway to an] the intersection of

Sixth Street with Chestnut Street thence easterly over Chestnut Street to an intersection with Fifth Street thence northerly over Fifth Street to an intersection with Spring Garden Street beginning again at the intersection of Spring Garden Street and Sixth Street thence southerly over Sixth Street to an intersection with [Walnut Street thence westerly over Walnut Street to an intersection with Cobb's Creek Parkway thence northerly over Cobb's Creek Parkway to an intersection with] Chestnut Street [beginning again at the intersection of Cobb's Creek Parkway and Walnut Street thence southerly over Cobb's Creek Parkway to an intersection with Sixty-first Street thence southerly over Sixty-first Street to an intersection with Baltimore Avenue] a distance of about [14.00] 1.78 miles

Beginning at [a point on the Philadelphia City-Yeadon Borough line on Sixty-fifth Street thence easterly over Sixty-fifth Street Chester Avenue and Sixty-fifth Street to an intersection with Kingsessing Avenue thence north-easterly over Kingsessing Avenue to an intersection with Fifty-second Street thence northwesterly over Fifty-second Street to an intersection with Chester Avenue thence northeasterly over Chester Avenue to an intersection of Chester Avenue and Forty-second Street thence northerly over Forty-second Street to an intersection with Baltimore Avenue thence northeasterly over Baltimore Avenue to an] the intersection of Thirty-ninth Street with Woodland Avenue thence northeasterly over Woodland Avenue to an intersection with Chestnut Street near Thirty-third Street a distance of about [4.00] 0.65 miles

Beginning at a point on the Philadelphia City-Bucks County line on Roosevelt Boulevard thence over the Roosevelt Boulevard to an intersection with Hunting Park Avenue [thence over Hunting Park Avenue to an intersection with Allegheny Avenue thence westerly over Allegheny Avenue to an intersection with Ridge Avenue] thence over the Roosevelt Boulevard extended in a southwesterly direction to an intersection with the proposed route along the west bank of the Schuylkill River beginning again at the intersection of Allegheny Avenue with Ridge Avenue thence over Ridge Avenue and Park Drive to an intersection with City Avenue thence southwesterly over City Avenue to the Philadelphia City-Delaware County line at Cobb's Creek a distance of about [20.00] 23.51 miles

Beginning at a point on the Philadelphia City-Montgomery County line on Lancaster Avenue thence southeasterly over Lancaster Avenue to an intersection with Spring Garden Street near Thirty-ninth Street a distance of about 3.50 miles

Beginning at the intersection of Thirty-ninth Street and Lancaster Avenue thence southerly on Thirty-ninth Street Filbert Street and Thirty-ninth Street to the intersection of Thirty-ninth Street and Baltimore Avenue thence southeasterly on University Avenue to an intersection with Thirty-fourth Street thence southerly over Thirty-fourth Street to an intersection with Vare Avenue thence southeasterly over Vare Avenue to an intersection with Oregon Avenue thence easterly over Oregon Avenue to an intersection with South Broad Street beginning again at the intersection of Thirty-ninth and Filbert Streets thence northerly over Filbert Street Saunders Avenue and Lancaster Avenue to the intersection of Thirty-ninth Street and Lancaster Avenue a distance of about 4.65 miles

Beginning at a point on the Philadelphia City-Montgomery County line on Old York Road thence southerly over Old York Road to an intersection with North Broad Street thence southerly over North Broad Street to [City Hall thence by West Penn Square to the intersection of South Broad Street and South Penn Square] an intersection with Stenton Avenue a distance of about [8.00] 1.05 miles

Beginning at the intersection of Germantown Avenue and Mt Pleasant Avenue thence southwesterly over Mt Pleasant Avenue to an intersection with Lincoln Drive a distance of about 0.83 miles

Beginning at [a point on the Philadelphia City-Montgomery County line on Ogontz Avenue thence southerly over Ogontz Avenue to] an intersection of Ogontz Avenue

with Stenton Avenue thence southeasterly on Stenton Avenue to the intersection of Stenton Avenue and North Broad Street a distance of about [2.20] 0.48 miles

[Beginning at a point on the Philadelphia City-Bucks County line on Bustleton Avenue thence southerly on Bustleton Avenue to an intersection with Welsh Road thence over Welsh Road to the intersection of Welsh Road and Roosevelt Boulevard a distance of about 4.50 miles]

[Beginning at a point on the Philadelphia City-Montgomery County line on Philmont Avenue thence northeasterly over Philmont Avenue to its intersection with Bustleton Avenue a distance of about 0.70 of a mile]

Beginning at a point on the Philadelphia City-Bucks County line on Frankford Avenue thence southwesterly on Frankford Avenue to an intersection with Levick Street thence northwesterly on Levick Street to the intersection of Levick Street and the Roosevelt Boulevard a distance of about 6.00 miles

Beginning at a point on the Philadelphia City-Montgomery County line on Cottman Avenue thence southeasterly over Cottman Avenue to an intersection with Frankford Avenue beginning again at the intersection of Frankford Avenue and Levick Street thence southeasterly over Levick Street to the approach to the Tacony-Palmyra Bridge a distance of about [4.50] 0.90 miles

Beginning at a point on the Philadelphia City-Delaware County line on Eighty-fourth Street thence southeasterly over Eighty-fourth Street to an intersection with Tincum Avenue thence northeasterly over Tincum Avenue to an intersection with South 80th Street thence southeasterly over South 80th Street to an intersection of South 80th Street with Penrose Ferry Road thence northeasterly on Penrose Avenue to an intersection with Moyamensing Avenue thence over Moyamensing Avenue to an intersection with South Broad Street [thence northerly on South Broad Street to City Hall thence by way of East Penn Square to the intersection of North Penn Square and North Broad Street] a distance of about [7.09] 3.50 miles

Beginning at a point on the Philadelphia City-Montgomery County line on Germantown Avenue the intersection of Bethlehem Pike with Germantown Avenue thence southeasterly over Germantown Avenue to an intersection with Mt Pleasant Avenue beginning again at the intersection of Rising Sun Avenue and Adams Avenue thence over Adams Avenue to an intersection with the Roosevelt Boulevard a distance of about [4.26] 2.46 miles

Beginning at a point on the Philadelphia City-Montgomery County line on Bethlehem Pike thence southeasterly on the Bethlehem Pike to an intersection with the Germantown Avenue beginning again at an intersection of Germantown Avenue and Allen's Lane thence southerly over Allen's Lane to an intersection with Lincoln Drive thence southerly on Lincoln Drive to an intersection with Cliveden Street thence southerly on Cliveden Street to an intersection with Park Line thence over Park Line to an intersection with Walnut Lane thence over Walnut Lane to an intersection with Ridge Avenue thence southerly on Ridge Avenue to the intersection of Park Drive and Ridge Avenue beginning again at the intersection of Allegheny Avenue and Ridge Avenue thence southerly on Ridge Avenue to an intersection with Twenty-ninth Street thence southerly on Twenty-ninth Street to an intersection with Girard Avenue thence easterly on Girard Avenue to an intersection with West College Avenue thence southerly on West College Avenue to an intersection with Twenty-fifth Street thence southerly on Twenty-fifth Street to an intersection with Pennsylvania Avenue thence southeasterly on Pennsylvania Avenue to an intersection with Spring Garden Street thence over Spring Garden Street to the intersection of Spring Garden Street and Delaware Avenue beginning again at the intersection of Pennsylvania Avenue and Twenty-fifth Street thence northwesterly on Pennsylvania Avenue to the intersection of Twenty-sixth Street thence northerly over Twenty-sixth Street to the intersection of Twenty-sixth Street and Girard Avenue [beginning again at the intersection of Girard Avenue and Twenty-ninth

Street thence westerly on Girard Avenue to an intersection with a park drive near Thirty-first Street beginning again at the intersection of Spring Garden Street and Pennsylvania Avenue thence westerly over Spring Garden Street to an intersection with a park drive a distance of about [11.00] 10.95 miles

[Beginning at a point on the Philadelphia City-Rockledge Borough line on Oxford Avenue thence southerly on Oxford Avenue to an intersection with Rising Sun Avenue thence southwesterly on Rising Sun Avenue to the intersection of Rising Sun Avenue and Roosevelt Boulevard a distance of about 3.40 miles]

[Beginning at a point on the Philadelphia City-Montgomery County line on Haverford Avenue thence southeasterly on Haverford Avenue to an intersection with Forty-second Street a distance of about 4.25 miles]

[Beginning at a point on the Philadelphia City-Delaware County line on Lansdowne Avenue thence northerly over Lansdowne Avenue to an intersection with Haverford Avenue beginning again at an intersection of Haverford Avenue and Girard Avenue thence easterly over Girard Avenue to an intersection with a park drive near Thirty-first Street thence southerly over the park drive to an intersection with the Parkway at Spring Garden Street a distance of about 4.80 miles]

[Beginning at a point on the Philadelphia City-Delaware County line on Seventy-first Street thence northerly over Seventy-first Street to an intersection with Lansdowne Avenue a distance of about 0.50 of a mile]

[Beginning at a point on the Philadelphia City-Montgomery County line on East Washington Lane thence southwesterly over East Washington Lane to an intersection with Ogontz Avenue beginning again at the intersection of Washington Lane and Stenton Avenue thence southeasterly on Washington Lane to an intersection with Wayne Avenue thence northwesterly on Wayne Avenue to the intersection of Wayne Avenue and Lincoln Drive a distance of about 2.42 miles]

[Beginning at the Philadelphia City-Darby Borough line on Woodland Avenue thence northeasterly on Woodland Avenue to an intersection at Island Road thence southeasterly on Island Road to an intersection with Passyunk Avenue thence northeasterly on Passyunk Avenue to an intersection with South Broad Street a distance of about 4.57 miles]

[Beginning at a point on the boundary line between Delaware County and Philadelphia City on Marshall Road and extending in an easterly direction on Marshall Road to an intersection with Cobb's Creek Parkway a distance of 0.10 miles]

Beginning at a point at the intersection of Roosevelt Boulevard and Aramingo Avenue thence southeasterly and southwesterly on Aramingo Avenue to Norris Street thence southeasterly on Norris Street to Dyott Street thence southeasterly on Dyott Street to Delaware Avenue thence southwesterly on Delaware Avenue to Swanson Street thence southwesterly on Swanson Street to Oregon Avenue thence southwesterly on Oregon Avenue to an intersection with Moyamensing Avenue a distance of 12.1 miles

Beginning at a point at the intersection of Tacony Street and Aramingo Avenue thence northeasterly along Tacony Street and State Road to an intersection with Levick Street a distance of about 1.3 miles

Beginning at a point on the Philadelphia City-Montgomery County line at the intersection with Bethlehem Pike thence easterly on Stenton Avenue to an intersection with Stenton Avenue and Ogontz Avenue beginning again at the intersection of North Broad Street and Godfrey Avenue thence in an easterly direction on Godfrey Avenue to an intersection of Godfrey Avenue and Adams Avenue thence over Adams Avenue to an intersection with Rising Sun Avenue a distance of 6.0 miles

[Beginning at an intersection of Allegheny Avenue and Hunting Park Avenue thence in a southwesterly direction on Hunting Park Avenue to an intersection with East River Drive a distance of about .8 miles]

Beginning at an intersection of Ridge Avenue and Vine

Street thence in a southeasterly direction on Ridge Avenue to an intersection of Ridge Avenue with Race Street a distance of about 0.15 mile

Beginning at a point at the intersection of Island Road and [Passyunk Avenue] Essington Avenue thence on Island Road in a southeasterly direction to an intersection with Penrose Avenue thence northeasterly over Penrose Avenue to an intersection with Eightieth Street a distance of about [2.30] 0.37 miles

Beginning at a point on the Philadelphia City-Delaware County line on Essington Avenue thence northeasterly [and northerly] on Essington Avenue to an intersection with [Passyunk Avenue] Island Road a distance of [3.1] 1.22 miles

Beginning at a point on the Philadelphia City-Montgomery County line on Ridge Avenue thence southeasterly on Ridge Avenue to an intersection with Ridge Avenue and Henry Avenue and thence southeasterly on Henry Avenue to an intersection with Walnut Lane a distance of about 3.75 miles

Beginning at the intersection of Grant and Frankford Avenues thence northwesterly over Grant Avenue to the intersection of Grant Avenue and [Bustleton Avenues] the Roosevelt Boulevard a distance of about [three] 2.48 miles

Beginning on the Philadelphia City-Montgomery County line at an intersection with City Avenue near the Schuylkill River thence in a southerly direction along the west bank of the Schuylkill River to an intersection with University Avenue near the University Bridge over the Schuylkill River a distance of about 6.40 miles

Provided however that no part or portion of any street hereinbefore described shall be taken over as a State highway under the provisions of this act until after such part or portion shall have been legally opened by the city authorities in the same manner as other streets are now opened which form a part of the same route as herein described or an agreement shall have been entered into between the Commonwealth and city for such opening

Section 2 This act shall become effective on the first day of January one thousand nine hundred and fifty

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1166, as follows:

An Act establishing a Retirement System for Fish Warden

Employed by the Board of Fish Commissioners providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board providing for contributions by fish wardens employed by the Board of Fish Commissioners and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes making an appropriation and providing penalties

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

Section 1 The following words and phrases as used in this act shall be construed to have the following meanings

"Accumulated Deductions" the total of the amounts deducted from the salary or wages of a contributor and paid into the fund and standing to his credit in the fund together with the regular interest thereon

"Beneficiary" any person in receipt of a retirement allowance under this act

"Board" the State Employees' Retirement Board of the Department of State

"Contributor" any Fish Warden who has accumulated deductions in the fund standing to his credit

"Employee" any person holding an office or position of fish warden under the Board of Fish Commissioners employed and paid on a yearly or monthly basis or employed regularly on a per diem or hourly basis or partly at a fixed annual or monthly salary and partly on a per diem or hourly basis Regular employment shall not be construed to include employment of less than one hundred days or seven hundred fifty hours in any year In all cases of doubt the Retirement Board shall determine whether any person is an employe as defined in this paragraph and its decision shall be final

"Final Salary" the average annual compensation earnable by a contributor before any deductions have been made and exclusive of maintenance allowances and expenses for the five years of service immediately preceding retirement or in the event an employe has not served five years the total retirement compensation earnable divided by the number of the years served

"Fund" the State Employees' Retirement Fund

"Fish Commissioners" the Board of Fish Commissioners

"Member's Annuity" payments for life derived from contributions made by the contributor

"Member" shall mean a fish warden employed by the Board of Fish Commissioners who shall be a member of the retirement system established by this act

"Original Member" A fish warden who was at any time a State employe prior to January first one thousand nine hundred twenty-five and who is a fish warden under the Board of Fish Commissioners

"New Member" a person who became a fish warden subsequent to December thirty-first one thousand nine hundred twenty-four

"Prior Service" shall mean State service prior to January first one thousand nine hundred twenty-four

"Regular Interest" interest at the rate of four per centum compounded annually

"Retirement Allowance" the State annuity plus the member's annuity

"State Annuity" payments for life derived from contributions made by the Commonwealth

"Superannuation Retirement Age" shall mean sixty years of age

Section 2 Fish Warden's Retirement System A retirement system is hereby established for the fish wardens of the Board of Fish Commissioners which system shall be administered by the State Employees' Retirement Board of the Department of State

Section 3 Administrative Expenses The expense of the

administration of this act exclusive of the payment of retirement allowances and other benefits shall be paid by the Commonwealth by biennial appropriations out of the General Fund made on the basis of estimates submitted by the board

**Section 4 Payments into State Employees' Retirement Fund** All payments or appropriations made from the Fish Fund all contributions by fish wardens of the Fish Commissioners in the amount hereinafter specified and all interest on and increase of the investments and moneys under this act shall be paid into the State Employees' Retirement Fund and shall be credited to the proper accounts in said fund as provided by law applying to said fund. The Fish Commissioners shall on receiving the certification of the board periodically contribute such sums of money as the actuary shall estimate shall be required to annually meet the obligations incurred or to be incurred and to establish the reserves provided for in this act

**Section 5 Rules and Regulations Actuarial Data Appropriations to Fund** The board shall from time to time establish such rules and regulations for the administration of this act as may be deemed necessary. It shall keep such data as shall be necessary for actuarial valuation purposes. The actuary of the board shall periodically make an actuarial investigation into the mortality and service experience of the contributors to and beneficiaries of the fund and shall adopt for the retirement system one or more mortality tables and certify to the board biennially the amount of contributions required to be made by the Fish Commissioners to the fund to build up and maintain adequate reserves for the payment of the State's share of the retirement allowances and other disbursements provided by this act

**Section 6 Compulsory Membership** Every fish warden of the Board of Fish Commissioners shall be required to become a member of the retirement system established by this act on January first one thousand nine hundred fifty and thereafter when first becoming a fish warden of the Fish Commissioners. Contributions by members under this act shall commence with the first payroll after January first one thousand nine hundred fifty. If any fish warden of the Board of Fish Commissioners shall have been at any time theretofore in the Commonwealth employ he shall receive credit for all such service prior to January first one thousand nine hundred fifty upon complying with the provisions of this act

**Section 7 Commonwealth Guarantee Biennial Budgets** The regular interest charges payable and the creation and maintenance of the necessary reserves for the payment of the State and members' annuities in accordance with this act are hereby made obligations of the Commonwealth of Pennsylvania. The board shall prepare and submit to the budget secretary on or before the first day of November of each even-numbered year an itemized estimate of the amounts necessary to be paid or appropriated by the Fish Commissioners to complete the payments of the obligations of the Commonwealth during the fiscal biennium beginning June first of the following year

**Section 8 Service Allowance** In computing the length of service of a contributor for retirement purposes full credit shall be given to each contributor for each year of service rendered to the Commonwealth including service rendered prior to January first one thousand nine hundred fifty upon complying with the provisions of this act. As soon as practicable the retirement board shall issue to each original member a certificate certifying the aggregate length of his service prior to January first one thousand nine hundred twenty-four. Such certificate shall be final and conclusive as to his prior service unless thereafter modified by the board upon application of the contributor. The time during which a contributor is absent from service without pay shall not be counted in computing the service of a contributor unless approved by the board

**Section 9 Payments by Contributors** All original and new members shall be required to contribute into the fund at the same rate of contribution according to age as is required of State employees contributing at the one one-

hundredth rate under the State Employees' Retirement Act. All fish wardens who were not members of the State Employees' Retirement System shall have the option of becoming original members of the retirement system established by this act but shall be required to pay into the fund a sum equal to all back payments which such person would have made had he become a member of the State Employees' Retirement System when the same was established. In like manner any new member may elect to make back payments to the date when he first entered the service of the Board of Fish Commissioners. Such back payments or original and new members may be spread over a period of years by having the regular payroll deduction of the contributor increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the full amount of such back payments have been completed. Any such deduction increase may be anticipated in part or in full by the contributor at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then his member's annuity shall be calculated on the total accumulated deductions standing to his credit in the fund and the State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of back payments not so anticipated

Every contributor who was a member of the State Employees' Retirement System shall receive full credit under this act for all contributions made into the fund and for all service credits to which he was entitled under the State Employees' Retirement System

**Section 10 Contributions by the Commonwealth** The Board of Fish Commissioners of the Commonwealth shall contribute from time to time sufficient moneys to build up the reserves required to pay to each contributor upon superannuation retirement a State annuity equal to two one-hundredth (1/100) of his final salary for each year of total service and in addition thereto if an original member of two one-hundredth (2/100) of his final salary for each year of prior service

The amounts to be paid by the Fish Commissioners into the State Employees' Retirement Fund shall be apportioned in the same ratio as the salaries of the employees of the Board of Fish Commissioners

**Section 11 Payments Upon Death** If the board shall find that a contributor died as a direct and proximate result of injuries received in the course of his employment or while on disability retirement allowance resulting from such injuries a retirement allowance shall be paid to his widow so long as she remains his widow and if and when such widow dies or remarries then to his children under eighteen (18) years of age while they are under eighteen (18) years of age and if and when there are no children under eighteen (18) years of age then to the members parent or parents if they are dependent

Such retirement allowance shall consist of (a) a member's annuity which shall be the actuarial equivalent of the contributor's accumulated deductions standing to his credit and (b) a State annuity equal to fifty per centum (50%) of the final salary of the contributor less the amount which is paid to any such widow or children or dependent parent or parents under the Workmen's Compensation Laws of this Commonwealth during the period such compensation is paid or payable

**Section 12 Superannuation Retirement Allowance** Any contributor who has reached the superannuation retirement age may retire for superannuation by filing with the board a written application for retirement duly attested setting forth on what date he desires to be retired. Said application shall make the superannuation retirement allowance effective on the date so specified if such application was filed in the offices of the board or deposited in the United States mail addressed to the board before the date specified in the application and before the death of the contributor provided however that the date so specified in the application shall not be more than thirty days

from the date of filing or depositing the application in the mail

When a contributor retires for superannuation under the provisions of this section he shall be paid a retirement allowance disbursed according to his election as provided in section fifteen. Such retirement allowance shall consist of (a) a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the Member's Annuity Reserve Account and (b) a State annuity equal to two one-hundredth (2/100) of his final salary for each year of total service and if an original member in addition thereto of two one-hundredth 2/100) of his final salary for each year of prior service but the State annuity shall not exceed fifty per centum (50%) of the contributor's final salary.

**Section 13 Disability Retirement Allowance** In case of the disability of a contributor regardless of the length of service of the contributor a retirement allowance shall be granted the contributor which shall consist of (a) a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the Member's Annuity Reserve Account and (b) a State annuity equal to two one-hundredth (2/100) of his final salary multiplied by the number of years service but in any case not less than thirty per centum (30%) nor more than fifty per centum (50%) of said salary.

**Section 14 Involuntary Retirement Allowances** Should a contributor be discontinued from service not voluntarily after having completed ten years of total service or voluntarily after having completed twenty-five years of total service but before reaching superannuation retirement age he shall upon filing of application in the manner herein provided for superannuation retirement be paid as he may elect as follows (a) The full amount of the accumulated deductions standing to his credit or (b) a member's annuity of equivalent actuarial value to his accumulated deductions standing to his credit and in addition a State annuity having a value equal to the present value of a State annuity beginning at superannuation retirement age as provided in this act with respect to State annuities for superannuation retirement. The same options shall be available to beneficiaries in case of involuntary retirement as provided herein in the case of superannuation retirement.

**Section 15 Options on Superannuation Retirement** At the time of superannuation retirement any contributor may elect that the retirement allowance be payable in conformance with any one of the following plans.

(1) There shall be paid to the beneficiary the actuarial equivalent of the member's and State annuity as a retirement allowance payable throughout his life and upon the beneficiary's death all retirement allowance payments shall cease.

(2) If the retirement allowance would be less than ten dollars (\$10) per month there shall be paid to the beneficiary the full amount of the accumulated deductions standing to his individual credit in the Member's Annuity Reserve Account.

(3) There shall be paid to a beneficiary the actuarial equivalent of the member's and State annuity in a lesser retirement allowance payable throughout life with any one of the following provisions.

(a) If the beneficiary die before receiving in payments the present value of his member's annuity and State annuity as it was in the time of his retirement the balance shall be paid to his legal representatives or to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board.

(b) Upon his death his member's annuity and State annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board.

(c) Upon his death one-half of his member's and State annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowl-

edged and filed with the board at the time of his retirement.

**Section 16 Monthly Payments of Retirement Allowances** The retirement allowances granted under the provisions of this act shall be paid in equal monthly installments and shall not be increased decreased revoked or repealed unless by an act of Assembly.

**Section 17 Refunds in Case of Withdrawal or Death** Where a contributor resigns from service before becoming entitled to a retirement allowance or where a contributor has died and no application for a retirement allowance shall have been made by a person entitled to claim under the provisions of this act within six months after resignation or death then the amount standing to the credit of the contributor in the Member's Annuity Reserve Account shall be paid to him or to the person nominated by him by written designation duly acknowledged and filed by the contributor with the board or in lieu of such designation such amount shall be paid to his estate.

**Section 18 Exemption from Taxation and Execution Etc** Any money received or to be paid as a member's annuity State annuity or return of deductions or the right to any of these shall be exempt from any State or municipal tax and from levy sale garnishment attachment or any other process whatsoever and shall be unassignable except for a loan not in excess of three hundred dollars (\$300) the interest of which shall not exceed six per centum (6%) per annum received by a contributor from a credit union now or hereafter organized or incorporated under the laws of this Commonwealth the membership of which credit union is limited solely to officers and employes of the Commonwealth.

**Section 19 Nomination of Beneficiary** Every contributor shall have the authority to change the person nominated by him as the beneficiary by written designation duly acknowledged and filed with the board up until but not after the time of retirement.

**Section 20 Fraud Correction of Errors** (a) No person shall knowingly make any false statement or shall falsify or permit to be falsified any record or records of the retirement system herein established in any attempt to defraud such system.

(b) Should any such change in records fraudulently made or any mistake in records inadvertently made result in any contributor or beneficiary receiving more or less than he would have been entitled to had the records been correct then on the discovery of such error the board shall correct such error and shall adjust the payments which shall be made to the contributor or annuitant in such manner that the actuarial equivalent of the benefit to which he was correctly entitled shall be paid.

Any person violating any of the provisions of subsection (a) of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars (\$1000) or suffer imprisonment not exceeding one (1) year or both in the discretion of the court.

**Section 21 Medical Expenses** The fund shall upon approval by the board be available for the payment of the necessary and proper medical surgical and hospital expenses incurred as a direct and proximate result of illness contracted or injuries received in the course of a contributor's employment except as otherwise expressly herein provided. The fund shall upon approval by the board also be available for the payment of that portion of the necessary and proper medical surgical and hospital expenses not exceeding two hundred dollars (\$200) but in excess of twenty-five dollars (\$25) incurred by a contributor for any one other illness in the calendar year except as otherwise expressly herein provided. However in no event shall any charge for medical surgical or hospital expenses of a contributor whether incurred because of illness contracted or injuries received in the course of or outside of the course of employment be allowed until the contributor has resorted to all other

funds that may be rightfully charged with such expenses and there is a balance remaining unpaid

Section 22 Subrogation Where a third person is liable to the member or his dependents for injury or death the Commonwealth shall be subrogated to the right of the member or the dependents against such third person but only to the extent of the State annuity payable under this act by the Commonwealth Any recovery against such third person in excess of the State annuity theretofor paid or thereafter to be paid by the Commonwealth shall be paid forthwith to the contributor or the person designated by the contributor

Section 23 Payments Under Other Laws All payments provided for in this act are in addition to any other benefits now or hereafter provided for under any Workmen's Compensation Law or any other law except as otherwise herein provided

Section 24 Amendments to Law The Legislature shall have the right and the authority to alter stroke out add to or amend or supplement any of the provisions of this act or to repeal the entire act and the board shall have the same right and authority with reference to its regulations excepting that no law or regulation shall deprive a contributor of the money standing to his credit in the Member's Annuity Reserve Account

Section 25 State Employes' Retirement Law to Apply Generally Except as otherwise provided in this act the retirement system established by this act shall be administered in accordance with the laws rules and regulations applying to State Employes' Retirement System

Section 26 Appropriation the sum of fifteen thousand dollars (\$15,000) is hereby specifically appropriated to the Department of State for payment into the State Employes' Retirement Fund to cover the additional liability for reserve required by reason of the provisions of this act for the period commencing the first day of January one thousand nine hundred fifty and ending the thirty-first day of May one thousand nine hundred fifty-one

Section 27 Constitutional Provisions The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 28 Effective Date This act shall become effective January first one thousand nine hundred fifty

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Hornsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate procede to the third reading and consideration of House Bill No. 1232, as follows:

An Act to further amend sections five hundred eleven and six hundred ten of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justice of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages cause by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the issuance of certain permits for excessive size and weight and fixing the fee therefor

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

Section 1 Sections five hundred eleven and six hundred ten of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the sixth day of May one thousand nine hundred forty-three (P. L. 192) are hereby further amended to read as follows

Section 511 Special hauling permits the fee for a special hauling permit which is issued for a single trip and which designates the route to be traversed as provided for in clause (a) of section six hundred and ten shall be five (\$5) dollars and two (\$0.02) cents per ton of two thousand (2000) pounds or fraction thereof gross weight of vehicle and load for each mile or fraction thereof of length of haul payable to the authorities issuing such permit

The annual fee for a special permit which is issued for the license year and authorizes the operation of movement of heavy quarry equipment and machinery as provided for in clause (b) of section six hundred and ten shall be ten (\$10) dollars

The fee for a special permit which is issued for the period between the fifteenth day of June and the fifteenth day of November of each year and authorizes the operation or movement of any over-size self-propelled combine as provided for in clause (c) of section six hundred and ten shall be ten dollars (\$10)

Section 610 Permits for Excessive Size and Weight The Secretary of Highways of this Commonwealth and local authorities in their respective jurisdiction may at their discretion upon application in writing accompanied



by the fee provided in this act and good cause being shown therefor issue special permits in writing authorizing the applicant to operate or move upon any highway under the jurisdiction of and for the maintenance of which the authorities granting the permit are responsible (a) a tractor or trailer of a size and weight exceeding the maximum specified in this act [Every] every such permit shall be issued for a single trip and shall designate the route to be traversed [and] (b) any heavy piece of quarry equipment or machinery of a size and weight exceeding the maximum specified by this act across any highway from one part of a quarry to another or upon the highways connecting by the most direct route any quarries or portions of quarries under the single ownership or operation of such person this permit to be issued for the license year as provided by this act [No] no such permit shall be issued for the movement of such equipment or machinery for a distance greater than one-half mile (c) any over-size self-propelled combine up to one hundred fifty (150) inches in width every such permit shall be issued for the period between the fifteenth day of June and the fifteenth day of November both inclusive for the movement of such equipment during the daylight hours within a radius of ten (10) miles from the owner's home or farm At other times a permit for the movement of such equipment shall be granted as otherwise herein provided Any of the above permits shall be subject to such rules and regulations and any other conditions or restrictions including the obligation on the part of the permittee to restore or replace any section of highway or bridge damaged as a result of such movement whether or not the same was attributable to negligence on the part of the permittee as shall be deemed necessary by the authorities granting such permit Every such permit shall be carried in the vehicle to which it refers shall be open to inspection by any peace officer or person having collision with the tractor or trailer and shall be revokable at any time at the discretion of the official who issued the same

And said bill having been read at length the third time, and agreed to,

And amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska.	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1260, on third reading, entitled:

An Act authorizing cities of the first class to adopt and enforce ordinances relating to health and sanitary conditions of leased dwellings to create Dwelling Inspection Boards in the Department of Public Health in such cities to require tenancy permits to be issued and to provide penalties for violations thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1262, on third reading, entitled:

An Act to amend sections ten and eleven of the act approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. 1743) entitled "An act relating to magistrates and magistrates' courts in the city of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates imposing certain duties on the city controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts by permitting the central police court to close each day providing for the assignment of magistrates to divisional police courts eliminating provisions requiring rotation of magistrates assigned to police stations

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1291, on third reading, entitled:

An Act to further amend subsection (a) of section nine of the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1125), entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department, and defining the functions of such departments with respect thereto; authorizing certain departments, commissions, officers, and other agencies of the State and its political subdivisions to subscribe, under certain circumstances, to the medical service plan of such corporations on behalf of persons of low income; prescribing legal investments for the funds of such corporations, and the rights of doctors of medicine to register with such corporations; conferring authority on the Department of Health and on the Insurance Commissioner, each within its own sphere of lawful activity, to regulate and supervise such corporations; conferring certain rights, powers, duties, and immunities upon such corporations and their officers and members; prescribing the conditions on which such corporations may exercise their powers; exempting such corporations from taxation; prohibiting any person, copartnership, association, common law trust or corporation, except a nonprofit medical service corporation, from providing medical services on a nonprofit plan in return for prepayment, periodical, or lump sum payments; providing penalties for the violation of, and mandatory and injunctive relief for the enforcement of, the provisions of this act," by further providing for the determination of persons of low income.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1292, on third reading, entitled:

An Act to further amend subsection (a) of section two hundred nineteen of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations." by further providing for the determination of persons of low income by nonprofit medical service corporations.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1325, as follows:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-nine

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

Section 1 This act shall be known and may be cited as "The General Appropriation Act" of one thousand nine hundred forty-nine

Section 2 The following sums or as much thereof as may be necessary are hereby specifically appropriated from the General Fund to the several hereinafter named agencies of the Executive Legislative and Judicial Departments of the Commonwealth for the purpose hereinafter set forth for the two years beginning June first one thousand nine hundred forty-nine and for the payment of the bills incurred by said agencies and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred forty-nine

#### I Executive Department

##### To The Governor

For the payment of the salary of the Governor and the salaries wages or other compensation of the Secretary to the Governor the Budget Secretary and other employes for the payment of general expenses supplies printing and equipment and any other expenses whatsoever necessary for the proper conduct of the work of the Governor his Secretary the Budget Secretary and the Executive Board for the payment of the costs of auditing the Department of the Auditor General as provided by law for the payment of traveling expenses of

persons other than employes of the Commonwealth appointed by the Governor to represent the Commonwealth in any capacity for the expenses incurred in the conduct of the Executive Mansion including the maintenance of employes assigned thereto for the expenses of entertainment of official guests and for the exrense incident to the participation of the Governor in the Governor's Conference the sum of five hundred fifty thousand dollars (\$550,000)

##### To The Lieutenant Governor

For the payment of the salary of the Lieutenant Governor and for all necessary expenses including postage telegrams telephone toll charges and traveling clerical stenographic and discretionary expenses and for the care and maintenance of an automobile and mileage charges for the Department of Property and Supplies for the use of automobiles for the Lieutenant Governor the sum of thirtv-three thousand five hundred dollars (\$33,500)

##### To The Department of The Auditor General

For the payment of the salary of the Auditor General and the salaries wages and other compensation of a deputy Auditor General and other employes for the payment of general expenses for the payment of rentals of patented leased office devices for the purchase of automobiles furniture furnishings and equipment and for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of two million one hundred twenty thousand dollars (\$2,120,000)

For the payment to the State's Fiscal Agent for the custody and safekeeping of the books and records pertaining to loans of the Commonwealth as provided by law the sum of one thousand dollars (\$1000)

For the cost of painting a portrait of Auditor General G Harold Wagner to be placed in the office of the Auditor General the sum of seven hundred fifty dollars (\$750)

For the payment of fees to county officers for furnishing information to the officers of the Commonwealth as provided by law the sum of four thousand dollars (\$4000)

For the payment of salaries and expenses of the Board of Arbitration of Claims the sum of fifteen thousand dollars (\$15,000)

##### To The Treasury Department

For the payment of the salary of the State Treasurer and the payment of salaries wages or other compensation of a deputy State Treasurer and other employes for the payment of general expenses for the purchase through the Department of Property and Supplies as agent of insurance covering the loss of any or all cash and securities of which the Treasury Department or State Treasurer is custodian and covering forgeries of all kinds on checks drafts warrants and requisitions for the payment of rentals of patented leased office devices and for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of one million one hundred ninety thousand four hundred dollars (\$1,190,400)

For the cost of painting a portrait of Treasurer Ramsey S Black to be placed in the Treasury Department the sum of seven hundred fifty dollars (\$750)

For the payment of salaries or other compensation of a secretary and other employes and for the payment of general expenses necessary for the proper conduct of the work of the Board of Finance and Revenue the sum of one hundred twenty thousand dollars (\$120,000)

For the payment of the difference between the interest earned by the moneys in the Agricultural College Land Scrip Fund and in the State College Experimental Farm Fund and the interest guaranteed by the Commonwealth of Pennsylvania to Pennsylvania State College the sum of fifty two thousand forty dollars (\$52,040)

For the payment of the compensation of the Commonwealth's Loan and Transfer Agent for service rendered in connection with the registration transfer and payment of interest on Veterans' Compensation Bonds and Public Buildings Construction Bonds and for other services required to be performed by the said Loan and Transfer Agent the sum of twenty three thousand three hundred seventy-four dollars (\$23,374)

For the payment of the expenses of publishing statements of the General Fund and other funds of the Commonwealth the sum of twenty thousand dollars (\$20,000)

For the payment of the cost of printing or engraving of bonds required by the Loan and Transfer Agent in making exchanges as requested by bondholders the sum of five hundred dollars (\$500)

For refunding the balances due or to become due retired county officers on account of overpayment of any taxes licenses fees or other moneys collected for and paid to the Commonwealth the sum of one thousand dollars (\$1000)

For refunding to purchasers of stock transfer tax stamps any sums that may be due them upon the surrender and return of such stamps as may be spoiled canceled mutilated or defaced unintentionally by accident or error the sum of two thousand five hundred dollars (\$2500)

For refunding transfer inheritance taxes on estates of resident decedents paid in error or overpaid the sum of two hundred fifty thousand dollars (\$250,000)

For refunding transfer inheritance taxes on estates of nonresident decedents paid in error or overpaid the sum of ten thousand dollars (\$10,000)

For refunding moneys paid by any person to any professional examining board or advisory committee or to the Department of Public Instruction on behalf of any such board or advisory committee the sum of two thousand five hundred dollars (\$2500)

For refunding fees paid for notary public commissions when such commissions have not been issued or if issued have not been received and have been canceled the sum of four thousand dollars (\$4000)

For refunding moneys which were paid into the State Treasury through escheat proceedings or without escheat either voluntary or by order of court to any persons making proof of their ownership or right of possession thereto in the manner provided by law the sum of two hundred twenty-five thousand dollars (\$225,000)

For the purpose of refunding moneys other than tax paid into the State Treasury to the credit of the General Fund which refunds are not specifically authorized by any other appropriation the sum of fifteen thousand dollars (\$15,000)

For the payment of approved claims for refunds made to the Board of Finance and Revenue for moneys collected or received by the Department of Revenue for the maintenance support care treatment housing fees or other fees or costs of any inmate pupil patient or student in any State-owned institution and for the payment of approved claims for refunds made to the Board of Finance and Revenue for moneys collected or received by the Department of Revenue to reimburse the Commonwealth for the share which it was supposed to have paid towards the support care and treatment of any pupil or patient in any mental hospital institution for the feeble-minded in part supported by the Commonwealth the sum of fifty thousand dollars (\$50,000)

For the purpose of refunding fees paid in connection with renewal applications for registration under The Securities Act which have been canceled before January first of the year for which the fees were paid the sum of five hundred dollars (\$500)

For the purpose of refunding collections by the Department of Public Assistance the sum of twenty-five thousand dollars (\$25,000)

For the payment of approved claims for refund of cigarette tax permit fees and cigarette tax stamps the sum of five hundred dollars (\$500)

For refunding liquid fuels tax erroneously paid or

overpaid into the General Fund the sum of two thousand dollars (\$2000)

For the payment of approved claims for refunds of fines collected under the provisions of the Motor Vehicle Code the sum of two thousand five hundred dollars (\$2500)

For the refund of moneys collected under the provisions of the "State Personal Property Tax Act" the sum of two thousand five hundred dollars (\$2500)

For the payment into the Sinking Fund to meet the interest and sinking fund requirements of the Veterans' Compensation Bonds issued under authority of the act approved the fifth day of January one thousand nine hundred thirty-four (one thousand nine hundred thirty-three and one thousand nine hundred thirty-four P. L. 219) the sum of five million six hundred thirteen thousand nine hundred forty-two dollars and fifty cents (\$5,613,942.50) according to the following schedule

Date of Payment	Principal	Interest	Total
September 1 1949 .. \$		\$ 243,750.00	\$ 243,750.00
November 1 1949 .. \$		120,000.00	120,000.00
March 1 1950 .....	1,237,253.21	243,750.00	1,481,003.21
May 1 1950 .....	912,843.04	120,000.00	1,032,843.04
September 1 1950 ..		203,125.00	203,125.00
November 1 1950 ..		90,000.00	90,000.00
March 1 1951 .....	1,237,253.21	203,125.00	1,440,378.21
May 1 1951 .....	912,843.04	90,000.00	1,002,843.04
Totals .....	\$4,300,192.50	\$1,313,750.00	\$5,613,942.50

For payment into the Public Buildings Construction Sinking Fund to meet the interest and sinking fund requirements of bonds issued under the provisions of Article Nine Section twenty-one of the Constitution of Pennsylvania as authorized by the 1947 Session of the General Assembly the sum of four million three hundred seventy-five thousand dollars (\$4,375,000) according to the following schedule

October 1 1949 ..	\$750,000.00	\$344,000.00	\$1,094,000.00
April 1 1950 .....	750,000.00	343,500.00	1,093,500.00
October 1 1950 ...	750,000.00	344,000.00	1,094,000.00
April 1 1951 .....	750,000.00	343,500.00	1,093,500.00
Totals .....	\$3,000,000.00	\$1,375,000.00	\$4,375,000.00

For payment into the Sinking Fund to meet the interest requirements of bonds issued under the authority of the World War II Veterans' Compensation Act approved the eleventh day of June one thousand nine hundred forty-seven (P. L. 565) the sum of seven million five hundred thousand dollars (\$7,500,000.00) The Governor the Auditor General and the State Treasurer shall determine the schedule of interest payments to be made from this appropriation into the Sinking Fund such schedule to depend upon when the bonds are issued and the interest rate payable

To the Department of Agriculture

For the payment of the salary of the Secretary of Agriculture and the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including the purchase of insecticides for gypsy moth for the purchase of materials and for payment of the necessary expenses including vaccination of animals and for work of testing of animals to prevent spreading of dangerous contagious and infectious diseases for the payment of expenses of the State Farm Show Commission and the Pennsylvania Official Egg-Laying Contest for the payment of any expenses necessary in increasing and conserving the State's food supplies for the payment of any loss or damage by dogs to live stock domestic game birds and poultry as provided by law for expenses necessary in carrying out the provisions of the law with respect to soil conservation and for the purpose of compensating land owners according to existing law for the loss of cedar trees destroyed

by order of the department to prevent damage to apple orchards by cedar apple rust the sum of three million six hundred fifty thousand dollars (\$3,650,000.00)

For the payment of salaries wages or other compensation of employes and for the payment of all other expenses necessary for carrying out the provisions of the "Soil Conservation District Law" the sum of two hundred thousand dollars (\$200,000)

For the payment of the expenses of the department in conducting research to find measures for preventing transmission of and for curing diseases of cattle the sum of twenty-five thousand dollars (\$25,000)

For the purpose of reimbursing incorporated agricultural associations for premiums paid for exhibits of live stock live stock products horticultural products handiwork cereals bees and bee products as provided by law Provided That such associations file such reports as may be required by the Secretary of Agriculture the sum of one hundred thousand dollars (\$100,000)

For the payment of indemnities for and payment of expenses of testing animals appraised and destroyed to prevent the spread of dangerous contagious and infectious diseases as provided by law for the purchase of materials and for payment of the necessary expenses including vaccination of animals for control of dangerous contagious and infectious diseases the sum of two million two hundred fifty thousand dollars (\$2,250,000)

#### To the Department of Banking

For the payment of salaries wages or other compensation of the members of the Securities Commission and employes and for the payment of general expenses supplies printing and equipment necessary for the administration and enforcement of the Securities Act the sum of one hundred thirty-five thousand dollars (\$135,000)

#### To the Department of Commerce

For the payment of the salary of the Secretary of Commerce and for the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses advertising supplies printing and equipment necessary for the proper conduct of the work of the department including the work of the department with respect to collecting press information and distributing it to the several administrative departments boards and commissions and to legislative offices and legislative agencies the sum of one million two hundred thousand dollars (\$1,200,000)

For the payment of salaries wages or other compensation of a secretary and employes for the payment of traveling expenses of members for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Planning Board the sum of two hundred twenty-five thousand dollars (\$225,000)

#### To the Department of Forests and Waters

For the payment of the salary of the Secretary of Forests and Waters and for the payment of the salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department with respect to forests parks and waters and the Pymatuning Dam the Water and Power Resources Board the Geographic Board the State Forest Commission the Fort Washington Park State Parks Commission and Regional State Park Boards and Flood Prevention and maintenance of dykes along Darby Creek and the Delaware River in Tinicum Township Delaware County for emergency control and extinction of forest fires for the purchase of telephone equipment and the cost of telephone rentals at towers district offices ranger stations and other necessary locations for the erection and repairs of building for the development of natural resources on lands owned by the department for the payment of royalties on gas oil or other minerals the sum of three million dollars (\$3,000,000) Of this amount five thousand dollars (\$5000) or so much thereof

as may be necessary is hereby appropriated for necessary expenses in the care of two (2) cadets injured while in the course of training in the Pennsylvania Nautical School

For the payment of expenses incurred for the extinction and control of forest fires the sum of two hundred thousand dollars (\$200,000)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Washington Crossing Park Commission for the repair and construction of roads dams parking spaces and buildings for the purchase of materials supplies flags markers and equipment and for printing photographing distributing or otherwise making available maps documents records historical information and reports issued by or in the possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of one hundred sixty-five thousand dollars (\$165,000)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the Valley Forge Park Commission for the repair and construction of roads dams parking spaces and buildings for the purchase of materials supplies flags markers and equipment and for printing and photographing distributing or otherwise making available maps documents records historical information and reports issued by or in possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of one hundred eighty two thousand dollars (\$182,000)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania State Park and Harbor Commission of Erie for the repair and construction of roads dams parking spaces camp sites and buildings for the repair and construction of jetties and other necessary work to protect Presque Isle Peninsula from erosion for the purchase of materials supplies flags markets and equipment and for printing photographing distributing or otherwise making available maps documents records historical information and reports issued by or in the possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of one hundred thirty thousand dollars (\$130,000)

For the payment of annual fixed charges as provided by law for county school township and road purposes on lands owned or classified by either the Commonwealth of Pennsylvania or the Federal Government and held or administered as forest reserves auxiliary forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks the sum of two hundred thirty-eight thousand dollars (\$238,000)

For the payment of annual fixed charges on lands acquired for the purpose of conservation of water or the prevention of flood conditions as provided by law the sum of sixteen thousand dollars (\$16,000)

For the payment of the salaries or other compensation of a secretary and such other employes including among others captains pilots engineers harbor masters firemen deckhands watchman laborers and cooks as may be necessary for the proper conduct of the work of the Navigation Commission for the Delaware River and its navigable tributaries for the payment of the costs of repairs maintenance supplies fuel insurance oil and equipment of patrol boats and for the payment of the rent and care of the offices stationery telephone services books charts and general expenses of the commission the sum of ninety-four thousand dollars (\$94,000)

#### To the Department of Health

For the payment of the salary of the Secretary of

Health and for the payment of salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Sanitary Water Board the Advisory Health board and other boards and for the operation of a health program to relieve children and adults suffering from cleft palate or harelip the sum of five million nine hundred fifty thousand dollars (\$5,950,000)

For the payment of salaries wages general expenses supplies printing and equipment required by the department in promoting cancer research the study of facilities and the dissemination of information as to diagnosis and treatment of cancer the sum of two hundred fifty thousand dollars (\$250,000)

For the payment of salaries wages general expenses supplies printing and equipment required by the department in promoting prevention care diagnosis and treatment of rheumatic fever and rheumatic heart disease the sum of two hundred forty thousand dollars (\$240,000)

For the payment of salaries wages or other compensation of superintendents and other employes for the payment of general expenses supplies printing and equipment for repairs alterations and improvements to plant and equipment for improvement to land for the purchase of equipment furniture furnishings and live stock for the payment to fire companies of costs of fighting fires upon approval of the institution and the department for incidental expenses and all other expenses of maintenance and operation necessary for the proper conduct of the work of the State Tuberculosis Sanatoria the Bureau of Tuberculosis Control and Clinics and the State Hospital for Crippled Children including the incidental expenses necessary for the proper conduct of the orthopedic work of the department and for the purchase of braces jackets artificial limbs and crutches the sum of ten million six hundred fifty thousand dollars (\$10,650,000)

For the payment of salaries wages general expenses supplies printing and equipment required by the department in administering the "School Health Act" the sum of six million four hundred thousand dollars (\$6,400,000)

#### To the Insurance Department

For the payment of the salary of the Insurance Commissioner and for the payment of salaries wages or other compensation of a deputy commissioner and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and for the payment of costs in court proceedings to forfeit charters of extinct companies and for the payment of the liquidation and dissolution expenses of companies taken in charge by the Insurance Commissioner when the cash assets are insufficient to pay such expenses the sum of one million two hundred thousand dollars (\$1,200,000)

And in addition all sums received from the assets of companies in liquidation by way of reimbursement for expenditures previously made from this appropriation shall be paid into the General Fund and credited to the appropriation made by this paragraph

#### To the Department of Internal Affairs

For the payment of the salary of the Secretary of Internal Affairs and for the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and the Board of Property and the Topographic and Geologic Survey and for the payment of fees to the county commissioners of the several counties of the Commonwealth for data and statistics furnished relative to local taxes the sum of one million three hundred thirty-two thousand dollars (\$1,332,000)

#### To the Department of Justice

For the payment of the salary of the Attorney General and for the payment of salaries wages or other compensa-

tion of deputy attorneys general special deputy attorneys general assistant deputy attorneys general special attorneys law clerks and other employes for the payment of compensation of attorneys employed by the several departments boards and commissions with the approval of the Attorney General for handling litigation or making collections or appointed to represent the Commonwealth or any department board or commission thereof in special work or in particular cases for the payment of costs and witness fees for the purchase of law books for the law library of the department and for payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Board of Pardons and the Board of Commissioners on Uniform States Laws for the audit and investigation of claims and for the prosecution and defense of litigation to which the Commonwealth is a party or in which the Commonwealth is interested the sum of one million dollars (\$1,000,000)

#### To the Department of Labor and Industry

For the payment of the salary of the Secretary of Labor and Industry and for the payment of salaries wages or other compensation of the members of the Workmen's Compensation Board Workmen's Compensation Referees Pennsylvania Labor Relations Board the members of the Industrial Board deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Workmen's Compensation Board the Workmen's Compensation Referees Pennsylvania Labor Relations Board and the Industrial Board and for compensation and expenses of wage boards the sum of three million six hundred sixty thousand dollars (\$3,660,000)

For the payment from time to time into the Administration Fund in order to provide funds for the payment of salaries wages or other compensation of employes engaged in the administration of the State-Federal Employment Service and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of this service the sum of four hundred sixty-six thousand six hundred dollars (\$466,600)

For use by the State Board of Vocational Rehabilitation in purchasing artificial appliances for and payment of the maintenance cost of physically handicapped persons in training including the deaf and hard of hearing and in paying all other expenses necessary in carrying out the provisions of the Rehabilitation Act the sum of one million eight hundred thousand dollars (\$1,800,000)

#### To the Department of Military Affairs

For the payment of the salary of the Adjutant General and for the payment of salaries wages or other compensation of the deputies adjutant general the Division Commander and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including Division Headquarters the United States Property and Disbursing Office State Arsenal State Military Reservation and advisory commissions connected with the department for the making of improvements additions or repairs to existing buildings roads and utilities on the State Military Reservation and State Arsenal for the payment of expenses incurred in maintaining monuments in Europe erected at the expense of the Commonwealth and for the acquisition by purchase or condemnation of additional lands to be used for or in connection with the Military Reservation at Indiantown Gap for the purpose of placing at the disposal of the Governor and making the same available for replacement or repairs of such military stores and supplies issued to the Commonwealth of Pennsylvania by the Federal Government as may be destroyed or damaged in whole or in part by fire flood storm or any other unavoidable cause for the payment of transportation pay of officers and enlisted men horse hire subsist-

ence quartermaster stores and other proper and necessary expenses incident to field service rendered by the Pennsylvania National Guard under orders of the Governor in repelling invasion subduing insurrection riot tumult or disorder or the prevention of the same and when such Pennsylvania National Guard may be placed on duty under orders of the Governor under extraordinary circumstances for the protection of property or human life and in the event of all or any portion of said Pennsylvania National Guard being called into active service of the United States by the President of the United States or in furnishing the quota of volunteers from the Commonwealth of Pennsylvania under a call made by the President of the United States and for the equipment and maintenance of the Pennsylvania State Guard in the event of the Pennsylvania National Guard being called into active service of the United States and for the payment of mileage and lawful expenses of commissioners to take the vote of Pennsylvania soldiers in Federal or State service when in the field on active duty for the payment of claims against the Commonwealth of Pennsylvania for damages incurred by the operation or training of the Pennsylvania National Guard or the Pennsylvania State Guard as provided by law for the payment of all necessary expenses supplies printing and equipment including annual allowances for maintenance and armory rent individual pay officers annual allowances passenger and freight transportation telegrams telephone toll charges subscription to The Pennsylvania National Guardsman for distribution to officers and men of the Pennsylvania National Guard in either State or Federal service and the Pennsylvania State Guard the expense of operating and maintaining automobiles and other motor equipment the payment of mileage charges to the Department of Property and Supplies for the use of automobiles and other expenses necessary for the maintenance training government discipline and equipment of the Pennsylvania National Guard or the Pennsylvania State Guard for the payment of claims made by the War Department based upon approved reports of survey covering loss damage or destruction of Federal property for the payment of salaries of members and inspectors of the Armory Board of the State of Pennsylvania for the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Armory Board of the State of Pennsylvania for the maintenance and repair of armories and for the expenses of inspection of armories the sum of four million one hundred eighty-eight thousand five hundred fifty-six dollars (\$4,188,556)

Provided however That there is hereby appropriated for the same purposes the full amount of all rentals and all other moneys paid into the State Treasury in connection therewith of armories and receipts from public or private sources in payment of costs and material expenses by the Pennsylvania National Guard and the Pennsylvania State Guard in furnishing relief from disaster and all receipts from the Federal Government or other public or private sources for or in connection with services performed by employes of the Department of Military Affairs or for or in connection with the use of property under the control of said department which shall be collected as heretofore and paid into the General Fund and credited to the appropriation made by this paragraph The expenditure of such rentals of armories and other moneys received in connection therewith is hereby authorized for the purchase of furniture furnishings and recreational equipment which may at the discretion of the Armory Board of the State of Pennsylvania be considered essential for the benefit betterment and welfare of the Pennsylvania National Guard or the Pennsylvania State Guard

For the payment of salaries wages or other compensation of the superintendent and other employes for the payment of general expenses supplies printing and equipment for improvements to land for repairs alterations and

improvements to plant and equipment for the purchase of equipment furniture furnishings and live stock for expenses of the Board of Trustees and incidental expenses for burial expenses of maintenance and operation necessary for the proper conduct of the work of the Soldiers' and Sailors' Home at Erie as may be authorized and approved by the Adjutant General the sum of three hundred seventy nine thousand dollars (\$379,000) and in addition to said amount all moneys collected by the institution or by the Commonwealth from the Federal Government in payment of support or training of members of Federal military establishments at the institution shall be paid into the General Fund and shall be credited to the appropriation made by this paragraph

For the payment of any and all expenses incident to furnishing men material and equipment to relieve unemployment or drought conditions throughout the State or when a disaster occurs the sum of five hundred thousand dollars (\$500,000)

#### To The Department of Mines

For the payment of the salary of the Secretary of Mines and for the payment of salaries wages or other compensation of a deputy secretary the mine inspectors and other employes and for the payment of general expenses including examination costs supplies printing and equipment necessary for the proper conduct of the work of the department and the mine inspectors the sum of one million one hundred ninety four thousand dollars (\$1,194,000)

For the payment of all expenses of the department in administering and enforcing the "Bituminous Coal Open Pit Mining Conservation Act" of the 1945 Session of the General Assembly the sum of eighty thousand dollars (\$80,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the administration of the Act of May 29 1945 (P. L. 1132) relating to the health and safety of miners the sum of eighty seven thousand dollars (\$87,000)

#### To The Department of Property and Supplies

For the payment of the salary of the Secretary of Property and Supplies and for the payment of salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and Capital Police the Board of Commissioners of Public Grounds and Buildings and other boards attached to the department for the care maintenance and preservation of public grounds and buildings including the Executive Mansion for the payment of the advertising schedules of supplies the sale of unserviceable property proposals for executing the State printing and binding proposals for any contract work readvertising any schedule or proposal when necessary and all other advertising necessary for the proper conduct of the work of the department the sum of three million seven hundred two thousand eighty-six dollars (\$3,702,086) Provided however That the department shall not use any part of this appropriation for the payment of the salaries wages or other compensation of employes necessary for the cleaning and care of offices or other quarters either in the Capitol Building or elsewhere used by the Department of Banking the Department of Highways and any other agency to the extent to which appropriations for this purpose shall have been made to them from special funds or offices or other quarters used by the General Assembly the Judicial Department the Department of the Auditor General the Treasury Department the Pennsylvania Game Commission the Board of Fish Commissioners the Pennsylvania Liquor Control Board the Milk Control Commission or the State Workmen's Insurance Board

For the cost of printing and distributing records of the proceedings of the conventions of the Department of Pennsylvania of the Grand Army of the Republic the

United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion and the disabled American Veterans of the World War as provided by law the sum of thirty-one thousand dollars (\$31,000)

For the payment of compromised claims of architects or engineers on construction projects after such claims have been approved by the Attorney General the sum of forty-four thousand three hundred forty-nine dollars and ninety-four cents (\$44,349.94)

For the cost of printing and distributing the Capitol News clip sheet and the Pennsylvania State Manual the sum of ninety-five thousand dollars (\$95,000)

For the purchase of fuel water gas steam and electric current and necessary devices for its reception and use for alterations materials supplies repairs equipment renovations and improvements to for or on the State Capitol buildings the public grounds and buildings connected with the State Capitol the Publications Building the Executive Mansion the State Arsenal the Cameron Street Office Building the State Warehouse and any buildings lands or structures within the City of Harrisburg donated or devised to the Commonwealth but not including the Liquor Control Board Office Building in Harrisburg for the salaries of employes and other expenses of maintaining the Cameron Street Office Building and State Warehouse and for the payment of rents fuel water gas steam electric current and any necessary alterations for any buildings offices or storage space in the City of Harrisburg required for the accommodation of departments supported from the General Fund the sum of two million five hundred seventeen thousand one hundred twenty-four dollars (\$2,517,124) Of the amount appropriated by this paragraph the sum of one hundred twenty-five thousand dollars (\$125,000) shall be used for the renovation furnishings and necessary repairs to the Hall of the House of Representatives and auxiliary rooms in the capitol used for offices of House of Representatives Provided That occupancy of the Cameron Street Office Building or the State Warehouse by agencies or functions of Government supported by other than appropriations from the General Fund shall be charged for at rates approved by the Executive Board And that space in the State Warehouse not in use by the Commonwealth may be rented to the Public at such rates as the Department of Property and Supplies may determine All funds collected by the Department under this proviso shall be paid into the State Treasury and credited to the appropriation by this paragraph and shall be appropriated for the same purposes

For the purchase of automotive equipment aeroplanes and accessories thereto as may be required for use by the several administrative departments boards commissions and officers of the State Government except those required for permanent use by the Department of Banking the Department of Highways and the Department of Revenue and any other agency to the extent to which appropriations for this purpose shall have been made to them from special funds the Department of the Auditor General the Treasury Department the Pennsylvania State Police the Board of Fish Commissioners the Pennsylvania Game Commission the State Farm Products Show Commission the Pennsylvania Liquor Control Board the Milk Control Commission and the State Workmen's Insurance Board for the payment of the cost of minor repairs to automotive equipment permanently assigned to departments boards and commissions except the Department of Highways and stored at the garage maintained by the Department of Property and Supplies in the City of Harrisburg and for the payment of the cost of oil gasoline tires repair parts for and repairs to automotive equipment which is not permanently assigned to any department board commission or other officer of the State Government the sum of one million one hundred fifty four thousand seven hundred ninety dollars (\$1,154,790)

For the purchase of office supplies and equipment stationery printing printing supplies and printing processes for the purchase of legal books periodicals maps pamph-

lets for the purchase of all other materials supplies and equipment for the costs of repairing office equipment for the payment of rental charges of telephone and other leased devices for the payment of telephone toll charges and telegrams required by the General Assembly and the Judicial Department for the payment of costs including delivery expenses of documents and publications furnished to members and officers of the General Assembly for the payment of the costs of all printing incident to the sessions of the General Assembly including the printing of the Pamphlet Laws and for the payment of the cost of postage freight express paper and printing of departmental documents distributed to members of the General Assembly in accordance with law the sum of six hundred fifty thousand dollars (\$650,000)

For payment into the Purchasing Fund to be used as working capital the sum of three hundred ten thousand dollars (\$310,000)

#### To the Department of Public Assistance

For the payment of the salary of the Secretary of Public Assistance and for the payment of the salaries wages or other compensation of a deputy secretary and other employes for payment to the State Civil Service Commission for services rendered for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the sum of one million one hundred thousand dollars (\$1,100,000)

#### To the Department of Public Instruction

For the payment of the salary of the Superintendent of Public Instruction and for the payment of salaries wages or other compensation of deputy superintendents and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and the State Council of Education the sum of one million dollars (\$1,000,000)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment and for the purchase of book maps charts manuscripts records exchanges pamphlets illustrations lantern slides periodicals parliamentary papers legal books and periodicals subscriptions to newspapers necessary for the proper conduct of the work of the department with respect to the State Library the sum of three hundred thousand dollars (\$300,000)

For the payment of salaries wages or other compensation of a deputy members and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Department of Public Instruction with respect to pre-professional professional education and licensure and the professional examining boards and advisory committees within the department the sum of eight hundred thousand dollars (\$800,000) Provided That no part of this appropriation shall be expended for any purpose other than the work of the department with respect to pre-professional professional education and licensure the professional examining boards and advisory committees within the department

For the payment of salaries wages or other compensation of members and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania State Board of Censors the sum of one hundred seventy-five thousand dollars (\$175,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the Department in advising and coordinating the work of the Pennsylvania Federation of Junior Historians in the secondary schools of the Commonwealth the sum of sixteen thousand dollars (\$16,000)

For the payment of salaries wages and other compensation of members and other employes for the payment of general expenses supplies printing equipment and the purchase of tests for the proper conduct of the work in

the Department of Public Instruction with respect to the conduct of examinations for the determination evaluation and issuance of equivalent high school credits certificates or diplomas the sum of sixty-six thousand dollars (\$66,000)

For the payment of salaries wages and all other expenses of the department in conducting examinations of auditory acuity of pupils in public schools the sum of twenty thousand dollars (\$20,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department with respect to the acquisition of Federal surplus property and the distribution of such property to schools and other agencies authorized to receive it the sum of one hundred fifty thousand dollars (\$150,000)

And be it provided that moneys collected from schools and agencies to whom such property shall have been distributed covering costs of acquisition and handling shall be paid into the General Fund and credited to this appropriation and available for the purposes for which this appropriation has been made

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department and the State Board for Vocational Education in licensing and regulating private schools private trade schools business schools and correspondence schools and classes the sum of two hundred thousand dollars (\$200,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in providing large-type books for partially sighted children in the public schools the sum of forty thousand dollars (\$40,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in providing farm and home safety education through the schools and farm and home organizations in the Commonwealth the sum of twenty-five thousand dollars (\$25,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in accrediting facilities for the training of veterans the sum of one hundred fifty thousand dollars (\$150,000) Provided That \$80,000 of the appropriation made by this paragraph shall be used by the department as working capital only and shall lapse at the end of the biennium in the full amount In addition all moneys collected from the Federal Government shall be credited to the appropriation made by this paragraph

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department with respect to the Public School Employes Retirement Board the sum of four hundred sixty thousand dollars (\$460,000)

For the payment of salaries wages or other compensation of the presidents or principals and other employes for the expenses of maintaining and operating automobiles and other equipment for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles for the purchase of supplies food and fuel for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for the expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the State Teachers Colleges and the Cheyney Training School for Teachers as may be authorized and approved by the Superintendent of Public Instruction the sum of eight million six hundred thousand dollars (\$8,600,000) and in addition to said amount all income and all moneys collected at the various State Teachers Colleges and the Cheyney Training School and paid into the General Fund of the State Treasury under existing laws are hereby appropriated out of the General Fund to the several State Teachers Colleges and Training Schools for the same purpose each college and school to receive from

such appropriation the exact amount which was collected at said school or college during the said fiscal years Of the eight million six hundred thousand dollars (\$8,600,000) appropriated by this paragraph at least two million dollars (\$2,000,000) shall be extended for necessary rehabilitation and repairs

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the Department with respect to the Pennsylvania Area College Center Act the sum of one hundred thousand dollars (\$100,000) and in addition to the appropriation made by this paragraph all moneys collected by the Area Colleges shall be credited to the appropriation made by this paragraph and are appropriated to the department for expenses incurred in the operation of the Area College Centers as provided by the Pennsylvania Area College Center Act of May 2 1947

For the payment of salaries wages or other compensation of superintendents and other employes for the payment of general expenses supplies printing and equipment for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for the expenses of boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the hereinafter designated institutions as may be authorized and approved by the Superintendent of Public Instruction in the amounts hereinafter specified

Pennsylvania State Oral School for the Deaf	
at Scranton Pennsylvania .....	(\$280,000)
Pennsylvania Soldiers' Orphan School at Scotland Pennsylvania .....	(\$730,000)
Thaddeus Stevens Trade School at Lancaster Pennsylvania .....	(\$400,000)

and in addition to said amount all income and all moneys collected at the Thaddeus Stevens Trade School shall be paid into the General Fund and shall be credited to the appropriation to the Thaddeus Stevens Trade School made by this paragraph

For the payment of salaries of the County Superintendents and Assistant County Superintendents of public schools and supervisors of special education or persons acting in their stead as required by law the sum of one million seven hundred sixty-nine thousand dollars (\$1,769,000)

For the payment of expenses of County Superintendents and Assistant County Superintendents of public schools and supervisors of special education or persons acting in their stead as required by law the sum of two hundred sixty-five thousand dollars (\$265,000)

For the payment of expenses of members of county boards of school directors and the fees of their attorneys the sum of fifty-two thousand eight hundred dollars (\$52,800)

For reimbursement to school districts for transportation of school children as required by law the sum of sixteen million one hundred thousand dollars (\$16,100,000)

For aid to school districts that now maintain or shall cause to be established and maintained as part of the public school system vocational schools or departments schools for agricultural education industrial training home economics distributive occupations public service occupations and other vocational and practical education for the salaries wages and expenses of employes for general expenses of vocational divisions and the payment to the Department of Property and Supplies of mileage for the use of automobiles by traveling vocational education supervisors and for the cost of training vocational teachers in such institutions as the State Council of Education may designate and under such regulations as the State Council of Education may prescribe as provided by law the sum of two million five hundred thousand dollars (\$2,500,000) And be it provided that in time of serious unemployment not exceeding four hundred thousand dollars (\$400,000) of this appropriation may be expended with the Governor's approval in paying the full cost of



mass vocational training of qualified public assistance recipients or other unemployed to take definite employment which may be contingent upon such training

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in carrying out the School Lunch Program the sum of one hundred thousand dollars (\$100,000)

For the cost of transportation investigation and necessary expenses involved in the education of blind children as required by law for the education of children placed in homes by the courts or other agencies as required by law for the award of scholarships to graduates of secondary schools to aid them in obtaining higher education as required by law for Cornplanter Indians to be paid to the Superintendent of Schools of Warren County to be expended and disbursed by him in maintaining and conducting the school on the Cornplanter Indian Reservation for the expenses of blind students in attendance at institutions of higher learning as provided by law and for the payment to school districts of annual fixed charges in lieu of taxes on State lands as required by law the sum of four hundred twenty-eight thousand dollars (\$428,000)

For reimbursing school districts upon the salaries of school teachers and upon the basis of teaching units as prescribed by law for closed schools and for nonresident high school tuition and any other nonresident tuition as required by law and for the minimum salaries of teachers and supervisors of home bound children and extension class pupils the sum of two hundred three million dollars (\$203,000,000) Provided That the Superintendent of Public Instruction with the approval of the Governor may make payments from this appropriation in advance of the due dates prescribed by law to school districts which are financially handicapped whenever he shall deem it necessary to make such advanced payments to enable school districts to keep their public schools open

For special education including the payment of the Commonwealth's share in the case of children between the ages of six (6) and twenty-one (21) and the payment of all in the case of pupils under the age of six (6) or over twenty-one (21) of the cost of tuition and maintenance (as determined by the Superintendent of Public Instruction) of Pennsylvania pupils enrolled with the approval of the Department of Public Instruction in schools or institutions for the blind or for the deaf or cerebral palsied under the supervision of or approved by the department in accordance with law and for readers helpers guides aids and appliances for blind in public schools also for cost of tuition and maintenance of mothers and their blind babies in schools approved by the Department of Public Instruction the sum of two million seven hundred twenty-seven thousand five hundred dollars (\$2,727,500)

For the payment into the School Employees' Retirement Fund to the credit of the Contingent Reserve Account of the School Employee's Retirement Fund as required by law the sum of seven million six hundred thirty-eight thousand eight hundred eight-four dollars (\$7,638,884)

For the payment into the School Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two of the School Employees' Retirement Fund as required by law the sum of fifteen million eight hundred sixty-one thousand one hundred sixteen dollars (\$15,861,116)

For the payment of compensation to former teachers principals supervising principals or superintendents who agree in writing to hold themselves ready under the direction of the board of school directors to advise and counsel with school officials to visit and counsel with new teachers to act as substitute teachers when able to examine and report on public school work to visit pupils' homes in the interest of child welfare to attend educational conferences and addresses and to be concerned with other educational work as may be deemed necessary and helpful to community-school interest as provided by law the sum of three hundred forty thousand dollars (\$340,000)

For the payment of increased retirement allowances to employes on retirement as of September 1 1949 the sum of two million eight hundred thousand dollars (\$2,800,000)

To the Pennsylvania Public Utility Commission

For the payment of the salary of the chairman and members of the commission and for the payment of salaries wages or other compensation of a secretary and other employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the commission the sum of three million four hundred sixty-six thousand dollars (\$3,466,000)

For the payment of such proportion of the cost of installing warning signals for the protection of the public where tracks of railroad corporations or street railways corporations cross public highways other than those State highways designated as primary routes as shall be determined by the commission to be paid by the Commonwealth the sum of twenty-five thousand dollars (\$25,000)

To the Department of Revenue

For the payment of the salary of the Secretary of Revenue and for the payment of salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses rentals equipment and other expenses incidental to the collection of inheritance and estate taxes and mercantile license taxes supplies printing and equipment necessary for the proper conduct of the work of the department for the payment of the compensation of informants in escheats and the fees and expenses of escheators for the payment of costs in suits for the payment of cost of filing liens for the purchase of tax stamps and for the payment of costs of advertising required by any act of Assembly in connection with the escheat of moneys and property to the Commonwealth or in connection with the payment of unclaimed moneys into the State Treasury without escheat the sum of four million eight hundred seventy thousand dollars (\$4,870,000) Provided however That to the extent to which appropriations have been made to the department out of special funds for any of the foregoing purposes this appropriation shall not be used for such purpose

For the payment of salaries of the members of the State Athletic Commission for the payment of salaries wages or other compensation of a secretary and deputies and other employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Athletic Commission as approved by the Secretary of Revenue the sum of one hundred fifty thousand dollars (\$150,000)

For the payment of salaries wages or other compensation of such special deputy attorneys general special attorneys appointed by the Attorney General experts scientists examiners statisticians clerks stenographers and other assistants and employes and for costs witness fees postage express charges telegraph and telephone charges and all other expenses whatsoever as may be necessary for the proper conduct of investigations and litigation in the Estate of Henrietta E Garrett Deceased the sum of thirty thousand dollars (\$30,000)

To the Department of State

For the payment of the salary of the Secretary of the Commonwealth and for the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the sum of four hundred thirty-five thousand dollars (\$435,000)

For the payment of the cost of publishing in various newspapers throughout the State the several proposed amendments to the Constitution of the Commonwealth of Pennsylvania the sum of thirty thousand dollars (\$30,000)

For the payment of salaries wages or other compensation of a secretary and other employes and for the pay-

ment of general expenses necessary for the proper conduct of the work of the State Employees' Retirement Board the sum of two hundred twenty-five thousand dollars (\$225,000) and in addition to the said amount any moneys collected from a public corporation or similar agency in payment of the proportionate share of administering the State Employees' Retirement Fund on behalf of the employees of such public corporation or similar agency whose employees are entitled by law to be members of the State Employees' Retirement System shall be paid into the General Fund and credited to this appropriation

For the payment of the cost and expenses incident to the work of setting up the Municipal Employees' Retirement System the sum of twenty thousand dollars (\$20,000)

For the payment into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of one million three hundred eighty thousand nine hundred forty-six dollars (\$1,380,946)

For the payment into the State Employees' Retirement Fund to the credit of the Contingent Reserve Account the sum of two million two hundred seventy-six thousand two hundred three dollars (\$2,276,203)

For the payment into the State Employees' Retirement Fund to cover the additional liability for reserve required by reason of the creation of the Pennsylvania State Police Retirement System the sum of fifty thousand dollars (\$50,000)

For the payment into the State Employees' Retirement Fund to the credit of the Members' Annuity Reserve account and other accounts the sum of nine hundred twenty-nine thousand twenty-nine dollars (\$939,029)

For the payment of State employees who have retired in accordance with the provisions of the act of Assembly approved June fourteen one thousand nine hundred fifteen (P. L. 973) as amended and for the payment of pensions and gratuities granted by law the sum of six thousand four hundred thirty dollars (\$6,430)

#### To the Pennsylvania State Police

For the payment of the salaries wages or other compensation and necessary traveling expenses of the Commissioner and deputy commissioner of the Pennsylvania State Police the members of the State Police force and the other employees of the Pennsylvania State Police for the purchase of motor equipment for the payment of general expenses necessary for the proper conduct of the work of the Pennsylvania State Police for the payment of the board and lodging subsistence allowances uniforms arms and equipment of the Pennsylvania State Police force and for the payment of the proper medical surgical and hospital expenses incurred as a direct result of illness contracted or injuries received by members of the Pennsylvania State Police in the course of employment and not covered by insurance for the payment of premiums on policies insuring the Commonwealth against workmen's compensation liability to all employees or dependents of employees of the Pennsylvania State Police for the payment of premiums on policies of insurance covering motor vehicles operated by the Pennsylvania State Police and surety bonds for employees of the Pennsylvania State Police required to furnish such bonds for the payment with the Attorney General's approval of damages sustained by persons whose property has been damaged or destroyed by members of the Pennsylvania State Police in the discharge of their duties for the operation and maintenance of the Pennsylvania State Police Training School including any branches thereof for the payment of traveling expenses and witness fees in the amount of three dollars (\$3) per capita per diem to witnesses testifying for the Commonwealth at hearings in connection with the work of the Pennsylvania State Police and for the payment of fees charged by physicians for examining persons suspected of operating motor vehicles while intoxicated whenever such persons are found as a result of such examination not to be intoxicated except that no sum in excess of five dollars (\$5) shall be paid to any physician for any such examination for the maintenance and operating of a radio broadcasting station or stations and

for the purpose of installing operating and maintaining a teletype or other inter-communication system linking the central office of the Pennsylvania State Police and the offices of the various organized police forces of the political subdivisions of the Commonwealth maintaining night offices and linking such central office with other states using similar systems which cooperate with Pennsylvania in broadcasting police information the sum of five million eight hundred thousand dollars (\$5,800,000) and any additional sums from time to time transferred from the Motor License Fund and credited to this appropriation in the manner provided by law

#### To the Department of Welfare

For the payment of the salary of the Secretary of Welfare and for the payment of salaries wages or other compensation of deputy secretaries and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including the cost of a central accounting system for State-owned institutions subject to the supervision of the department the sum of nine hundred thirty-three thousand dollars (\$933,000)

For the payment of salaries wages or other compensation of employees and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Council for the Blind for improvement of the condition of the blind by supplying where not otherwise available home instruction and training for the adult blind in the reading and writing of embossed types in those handicrafts in which the blind can engage for remunerative or therapeutic value or for improving their personal civic and social well-being and in such other fields of endeavor as may be considered appropriate and beneficial and for medical treatment surgical operations eye glasses and other necessary aids or services including transportation for needy blind persons or persons with impaired vision and for meeting any additional expenses necessary the sum of four hundred twenty-five thousand dollars (\$425,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Council for the Blind in supplying to the adult blind vocational training in such fields as are commensurate with their capacities and which will lead to remunerative employment with seeing workers in providing for their employment and placement in industry business and the professions in obtaining the required medical service for such training and placement and in meeting expenses necessary and proper in the administration of this program the sum of one hundred fifty thousand dollars (\$150,000) and in addition to this amount moneys received from the United States Government or from any other source as contributions for this program shall be paid into the General Fund and credited to this appropriation

For payment into the Employment Fund for the Blind created by Act 356 of June 3 1943 to increase the working capital of the fund the sum of thirty thousand dollars (\$30,000)

For the payment of salaries wages or other compensation of the superintendents or wardens and other employees for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to and for the purchase of equipment furniture furnishings and live stock for expenses of boards of trustees and incidental expenses for the payment of gratuities clothing parole expenses for the payment to fire companies of costs of fighting fires upon approval of the institution and the department and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Pennsylvania Institution for Defective Delinquents at Huntingdon the Pennsylvania Training School at Morgantown the State Industrial Home for Women at Muncy the Pennsylvania Industrial School at White Hill the Eastern State Penitentiary at Philadelphia and Graterford the Western State Penitentiary at Pittsburgh the State Penitentiary at

Rockview and any other institution hereafter established for the custody of prisoners as may be authorized and approved by the Secretary of Welfare the sum of fourteen million seven hundred seventy-three thousand dollars (\$14,773,000) and all moneys realized from the sale of surplus products of the soil meats live stock timber and other similar materials or of unneeded purchased products publicly or to another Department Board or Commission shall be paid into the General Fund

For the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for the payment of fire companies of costs of fighting fires upon approval of the institution and the department for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Allentown State Hospital at Allentown the Danville State Hospital at Danville the Farview State Hospital at Farview the Harrisburg State Hospital at Harrisburg the Norristown State Hospital at Norristown the Torrance State Hospital at Torrance the Warren State Hospital at Warren the Philadelphia State Hospital at Philadelphia the Wernersville State Hospital at Wernersville the Western State Psychiatric Hospital at Pittsburgh the Eastern State Psychiatric Hospital at Philadelphia the Embreeville State Hospital at Embreeville the Hollidaysburg State Hospital at Hollidaysburg the Mayview State Hospital at Mayview the Somerset State Hospital at Somerset the Woodville State Hospital at Woodville the Clarks Summit State Hospital at Clarks Summit the Retreat State Hospital at Retreat the Dixmont State Hospital at Dixmont and any other institution established for the care and treatment of the insane as may be authorized and approved by the Secretary of Welfare for the payment of all expenses of the department in deporting to their states of residence persons committed to State mental institutions who may hold residence in other states for the purchase from publicly or privately operated nonsectarian hospitals at cost not exceeding five dollars and fifty cents (\$5.50) per day of psychiatric treatment and maintenance of mentally ill persons admitted to such hospitals who are entitled to free service for such periods per person as the Department of Welfare may approve and for assisting such hospitals to establish facilities for the care and treatment of the mentally ill such assistance to be limited to one thousand five hundred dollars (\$1500) per bed provided for the payment of the necessary expenses of boarding out mental patients in accordance with Act 257 approved July 12 1935 (P. L. 679) and for the establishment and maintenance of psychiatric clinics under the regulations of the department the sum of fifty-seven million seventy-seven thousand dollars (\$57,077,000) and all moneys realized from the sale of surplus products of the soil meats live stock timber and other similar materials or of unneeded purchased products publicly or to another Department board or Commission shall be paid into the General Fund

For the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to lands for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Laurelton State Village at Laurelton the Pennhurst State School at Pennhurst the Polk State School at Polk the Selingsgrove State Colony for Epileptics at Selingsgrove and any other institution established for the care and treatment of mental defectives and epileptics as authorized and approved by the Secretary of Welfare the sum of eleven million two hundred forty thousand dollars (\$11,240,000) and all moneys realized from the sale of surplus products of

the soil meats live stock timber and other similar materials or of unneeded purchased products publicly or to another Department Board or Commission shall be paid into the General Fund

For the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs for the purchase of equipment furniture and furnishings for the payment to fire companies of costs of fighting fires upon approval of the institution and the department for expenses of the board of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Ashland State Hospital at Ashland the Blossburg State Hospital at Blossburg the Coaldale State Hospital at Coaldale the Connellsburg State Hospital at Connellsburg the Hazleton State Hospital at Hazleton the Locust Mountain State Hospital at Shenandoah the Nanticoke State Hospital at Nanticoke the Philipsburg State Hospital at Philipsburg the Scranton State Hospital at Scranton and the Shamokin State Hospital at Shamokin as may be authorized and approved by the Secretary of Welfare the sum of eight million seven hundred eighty thousand dollars (\$8,780,000) and all moneys realized from the sale of unneeded purchased products publicly or to another Department Board or Commission shall be paid into the General Fund

#### To the Milk Control Commission

For the payment into the Milk Control Fund in the State Treasury for the purpose for which such fund is appropriated by law the sum of four hundred fifty thousand dollars (\$450,000)

#### To the State Civil Service Commission

For the payment of salaries wages or other compensation of the commissioners a personnel director and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Commission the sum of one hundred thousand dollars (\$100,000) and in addition any money collected by the Commission by way of reimbursement under the provisions of the Civil Service Act shall be paid into the General Fund through the Department of Revenue and shall be credited to this appropriation. Provided That the specific appropriation of \$100,000 made by this paragraph shall be used by the Commission as working capital only and shall lapse at the end of the biennium in the full amount

#### To the Pennsylvania Board of Parole

For the payment of salaries of members of the Board and salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Board the sum of one million four hundred seventy-two thousand dollars (\$1,472,000)

#### To the Commission on Interstate Cooperation

For the payment of wages and other compensation of employes for the payment of expenses of members in attending conferences when designated by the Governor The President pro tempore of the Senate or the Speaker of the House of Representatives and for the payment of the general expenses necessary for the proper conduct of the work of the Commission on Interstate Cooperation the sum of five thousand dollars (\$5000) to be paid on warrants of the Auditor General in favor of the chairman of said commission on the presentation of his requisition for the same. The chairman shall file an accounting of said expenses with the Auditor General

#### To the Interstate Commission on the Delaware River Basin

For the payment of wages and other compensation of employes for the payment of general expenses necessary for the proper conduct of the work of the Interstate Commission on the Delaware River Basin created by the Commission on Interstate Cooperation the sum of

fifty thousand dollars (\$50,000) to be paid on warrants of the Auditor General in favor of the chairman of said commission on the presentation of his requisition for the same. The chairman of said commission shall file an accounting of said expenses with the Auditor General.

#### Atlantic States Marine Fisheries Commission

For support of the Atlantic States Marine Fisheries Commission created by the act of June 1 1943 (P L 798) the sum of one thousand two hundred dollars (\$1200) Requisitions shall be prepared and signed by the Commissioner of Fisheries

#### Ohio River Valley Water Sanitation Commission

For support of the Ohio River Valley Water Sanitation Commission created by the act of April 2 1945 (P L 50) the sum of thirty-four thousand eight hundred seventy dollars (\$34,870) Requisitions shall be prepared and signed by the Secretary of Commerce

#### Interstate Oil Compact Commission

For the support of the Interstate Oil Compact Commission created by the act of July 23 1941 (P L 432) and for the payment of expenses of the Governor or his delegate in representing Pennsylvania the sum of three thousand dollars (\$3000) Requisitions shall be signed by the Governor

#### Interstate Commission on the Potomac River Basin

For the support of the Interstate Commission on the Potomac River Basin created by the act of May 29 1945 (P L 1139) the sum of four thousand eight hundred dollars (\$4800) Requisitions shall be prepared and signed by the Secretary of Commerce

#### To the Council of State Governments

For the support of the Council of State Governments and the Interstate Legislative Reference Bureau established by it to co-ordinate the work of the various State Legislative Reference Bureaus and other official agencies dealing with legislative matter the sum of sixty thousand dollars (\$60,000) One-half of said appropriation shall be paid during each fiscal year of the biennium in equal quarterly installments on requisition drawn by the Auditor General Warrants for such payments shall be drawn to the order of the Executive Director of the Council of State Governments who shall file an accounting of said expenses with the Auditor General

#### Pennsylvania Historical and Museum Commission

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the Pennsylvania Historical and Museum Commission including historical research preparation erection and maintenance of historical markers maintenance and development of historical monuments and sites the sum of six hundred twenty thousand dollars (\$620,000)

#### II Legislative Department

For the payment of the expenses of the Legislative Department for two years beginning June first one thousand nine hundred forty-nine and also for the expenses of the session and recess of one thousand nine hundred forty-nine not previously provided for the following sums or as much thereof as may be necessary to be paid in the manner prescribed by law Provided That the salaries stationery and mileage of the members of the Senate and House of Representatives of the legislative session of one thousand nine hundred and fifty-one shall be paid by requisition of the chief clerk of the Senate or the chief clerk of the House of Representatives upon the auditor general only after statement of the amounts due the several senators and members shall have been certified to the respective chief clerks by the president pro tempore of the Senate or speaker of the House of Representatives and that the senators and members receiving fixed salaries for said session shall be paid one-fifth of his total salary each month for the

first four months of the session if the legislature shall be in session that long and the balance on the day fixed for the final adjournment of the legislature or during the two days previous thereto

All compensation payable to officers and employes under the provisions of this act shall be payable semi-monthly on the fifteenth day and the last day of each month on requisition of the chief clerk of the Senate or of the House of Representatives as the case may be pursuant to certification of the officer under whose direction and control the officer or employe shall be

#### To The Senate

For the payment of the salaries of fifty senators and extra compensation allowed by law to the President pro tempore of the Senate session of one thousand nine hundred and fifty-one the sum of one hundred fifty-one thousand dollars (\$151,000)

For the payment of the expenses of senators and extra compensation and expenses of chairmen of committees as provided by law the sum of one hundred twenty thousand dollars (\$120,000)

For the payment of the mileage of fifty senators session of one thousand nine hundred and fifty-one the sum of eighteen thousand dollars (\$18,000)

For the payment of postage session of one thousand nine hundred and fifty-one for the chief clerk and assistants the sum of one hundred fifty dollars (\$150)

For the payment of postage session one thousand nine hundred and fifty-one for the Lieutenant Governor the sum of one hundred fifty dollars (\$150)

To the chief clerk of the Senate for the payment of the postage on the Legislative Journal bills and calendars session of one thousand nine hundred and fifty-one the sum of four thousand five hundred dollars (\$4500)

For the payment of the salaries of the officers and employes of the Senate session of one thousand nine hundred and fifty-one also for the payment of the session and recess salaries of all officers and employes whose positions are now or may hereafter be created and for the payment of which provision is not otherwise made also for the payment of any increases which may now or hereafter be authorized in the recess and session salaries of the officers and employes of the Senate whose present salaries are provided for in this section the sum of one hundred eighty thousand dollars (\$180,000) for the two years beginning June first one thousand nine hundred and forty-nine

For the payment of the mileage of the officers and employes of the Senate session of one thousand nine hundred and fifty-one the sum of two thousand seven hundred dollars (\$2700)

For the payment of the salaries of the returning officers of the Senate at the beginning of the session of one thousand nine hundred and fifty-one the sum of eight thousand dollars (\$8000)

For the payment of the mileage of the returning officers of the Senate at the beginning of the session of one thousand nine hundred and fifty-one the sum of two thousand dollars (\$2000)

For the payment of the salary of the clerk to the President of the Senate for two years beginning June first one thousand nine hundred forty-nine the sum of five thousand two hundred eighty dollars (\$5280)

For the payment of the salary of the Secretary of the Senate for the two years beginning June first one thousand nine hundred and forty-nine the sum of eighteen thousand dollars (\$18,000)

For the payment of the salary of the chief clerk of the Senate for the two years beginning June first one thousand nine hundred and forty-nine the sum of fifteen thousand dollars (\$15,000)

For the payment of the salary of the Secretary to the President pro tempore of the Senate for the two years beginning June first one thousand nine hundred and forty-nine the sum of five thousand six hundred dollars (\$5600)

For the payment of the salary of the librarian of the Senate for the two years beginning June first one thousand nine hundred and forty-nine the sum of twelve thousand dollars (\$12,000)

For the payment of the salary of the assistant to the secretary of the Senate for the time employed during the recess periods in the two years beginning June first one thousand nine hundred and forty-nine as provided by law the sum of four thousand seven hundred twenty-five dollars (\$4725)

For the payment of the salary of the stenographer to the President of the Senate for the two years beginning June first one thousand nine hundred forty-nine the sum of five thousand six hundred dollars (\$5600)

For the payment of the salary of the library clerk of the Senate for the two years beginning June first one thousand nine hundred and forty-nine the sum of six thousand dollars (\$6000)

For the payment of the salary of the secretary to the majority floor leader of the Senate for the two years beginning June first one thousand nine hundred forty-nine as provided by law the sum of five thousand six hundred dollars (\$5600)

For the payment of the salary of the secretary to the minority floor leader of the Senate for the two years beginning June first one thousand nine hundred forty-nine as provided by law the sum of five thousand six hundred dollars (\$5600)

For the payment of the salary of the secretary to the Senate Librarian for the two years beginning June first one thousand nine hundred forty-nine as provided by law the sum of five thousand dollars (\$5000)

For the payment of the salaries of two watchmen of the Senate for the two years beginning June first one thousand nine hundred forty-nine as provided by law the sum of eight thousand eight hundred dollars (\$8800)

For the payment of the salary of the superintendent of the storeroom of the Senate for two years beginning June first one thousand nine hundred forty-nine as provided by law the sum of six thousand six hundred dollars (\$6600)

For the payment of the salary of the chief custodian of the Senate for the two years beginning June first one thousand nine hundred forty-nine as provided by law the sum of five thousand nine hundred forty dollars (\$5940)

For the payment of the salary of the custodian of the basement of the Senate for the two years beginning June first one thousand nine hundred forty-nine as provided by law the sum of three thousand nine hundred sixty dollars (\$3960)

For the payment of the salaries of one custodian of the Senate Chamber and assistant custodians of the Senate Chamber for the two years beginning June first one thousand nine hundred forty-nine as provided by law the sum of twelve thousand three hundred twenty dollars (\$12,320)

For the payment of the salary of the messenger in the Senate Library for the two years beginning June first one thousand nine hundred and forty-nine as provided by law the sum of three thousand six hundred dollars (\$3600)

For the payment of the salary of a janitor for the Senate for the two years beginning June first one thousand nine hundred forty-nine the sum of three thousand six hundred dollars (\$3600)

For the payment of the salary of one Senate indexing clerk for the two years beginning June first one thousand nine hundred forty-nine the sum of four thousand eight hundred dollars (\$4800)

For the payment of the salary of one chief compiling clerk for the two years beginning June first one thousand nine hundred forty-nine the sum of seven thousand two hundred dollars (\$7200)

For the payment of the salary of one messenger to the Secretary of the Senate for the two years beginning

June first one thousand nine hundred forty-nine the sum of three thousand six hundred dollars (\$3600)

To the Secretary of the Senate for the payment of extra services in connection with the compilation of the history of legislation in the Senate session of one thousand nine hundred and forty-nine the sum of two thousand five hundred dollars (\$2500)

For the payment of the expenses of the Committee on Appropriations of the Senate during the biennium June first one thousand nine hundred and forty-nine and ending May thirty-first one thousand nine hundred and fifty-one in investigating schools colleges universities penal institutions mental hospitals medical and surgical hospitals homes and other institutions and agencies supported in whole or in part by appropriations from the State Treasury in analyzing requests of the same and of the various departments boards and commissions of the Commonwealth for appropriations and for the necessary clerical assistance and other necessary expenses in connection with the work of said committee in compiling data and information for the use of said committee and the Senate during legislative sessions and during the interim between legislative sessions the sum of twenty-five thousand dollars (\$25,000) to be paid on warrant of the Auditor General in favor of the chairman of said committee on the presentation of his requisition for the same Of the sum herein appropriated not more than seventeen thousand five hundred dollars (\$17,500) shall be expended prior to the beginning of the regular session of the General Assembly of one thousand nine hundred and fifty-one If the term of office of the chairman of the Committee on Appropriations shall terminate prior to the regular session of 1951 he shall not later than thirty days after such termination and also within thirty days after the adjournment of any regular or special session file an account with the Auditor General of the committee's expenses since the filing of the prior account

For the payment of expenses incident to issuing certificate of election of senators for the session of one thousand nine hundred and fifty-one the sum of seventy-five dollars (\$75) (Act of June fourteenth one thousand nine hundred and eleven P L 926)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the President pro tempore of the Senate during the recess ending the first Tuesday of January one thousand nine hundred and fifty-one the sum of five thousand dollars (\$5000) or as much thereof as may be necessary and for like expenses for the session of one thousand nine hundred and fifty-one the sum of five thousand dollars (\$5000)

For the payment of the necessary expenses including extra labor in the office of the chief clerk for the year ending May thirty-first one thousand nine hundred and fifty the sum of seven thousand dollars (\$7000) and for six months ending November thirtieth one thousand nine hundred and fifty the sum of four thousand dollars (\$4000)

For the payment of the incidental expenses of the Senate for six months commencing December first one thousand nine hundred and fifty and the entire period of the session of one thousand nine hundred fifty-one should the same extend beyond May thirty-first such sum as may be necessary to be expended by the chief clerk of the Senate who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts but said chief clerk shall at no time have in his hands more than two thousand dollars (\$2000) for which accounts have not been rendered and settled and the whole amount expended by said chief clerk shall not exceed the sum of eleven thousand dollars (\$11,000) out of which amount such necessary extra labor in the Senate shall be paid as shall be certified by the President pro tempore and chief clerk

For the payment of the postage labor and incidental expenses in the office of the secretary of the Senate for the year beginning June first one thousand nine hun-

dred and forty-nine the sum of five thousand dollars (\$5000) and for the year beginning June first one thousand nine hundred and fifty the sum of five thousand dollars (\$5000)

For the payment of postage labor express charges and all other expenses in the office of the librarian of the Senate for the year beginning June first one thousand nine hundred and forty-nine the sum of two thousand eight hundred dollars (\$2800) and for the year beginning June first one thousand nine hundred fifty the sum of two thousand eight hundred dollars (\$2800)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Majority floor leader of the Senate during the recess ending December first one thousand nine hundred and fifty the sum of five thousand dollars (\$5000) and for like expenses for the session of one thousand nine hundred and fifty-one the sum of four thousand dollars (\$4000)

For the payment of contingent expenses including extra services of employes of the Senate and clerical stenographic traveling and discretionary charges of the majority whip during the recess ending December first one thousand nine hundred fifty the sum of one thousand dollars (\$1000) and for like expenses for the legislative session of one thousand nine hundred fifty-one the sum of one thousand dollars (\$1000)

For the payment of contingent expenses including extra services of employes of the Senate and clerical stenographic traveling and discretionary charges of the minority whip during the recess ending December first one thousand nine hundred fifty the sum of seven hundred fifty dollars (\$750) and for like expenses for the legislative session of one thousand nine hundred fifty-one the sum of one thousand dollars (\$1000)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Minority floor leader of the Senate during the recess ending December first one thousand nine hundred and fifty the sum of two thousand dollars (\$2000) and for like expenses for the session of one thousand nine hundred and fifty-one the sum of one thousand five hundred dollars (\$1500)

To the Secretary of the Senate for the payment of the expenses of the Senate or committees of the Senate in attending funerals or expenses incident thereto of senators officers of the Senate or State officials during the two years beginning June first one thousand nine hundred and forty-nine the sum of one thousand dollars (\$1000)

To the House of Representatives

For the payment of the salaries of two hundred and eight members of the House of Representatives and extra compensation allowed by law to the Speaker of the House of Representatives session one thousand nine hundred and fifty-one the sum of six hundred twenty-five thousand dollars (\$625,000)

For the payment of expenses of members of the House of Representatives and extra compensation and expenses of chairmen of committees as provided by law the sum of five hundred thousand dollars (\$500,000)

For the payment of the mileage of two hundred and eight members of the House of Representatives session of one thousand nine hundred and fifty-one the sum of eighty-five thousand dollars (\$85,000)

For the payment of postage session of one thousand nine hundred and fifty-one to the chief clerk and assistants the sum of one hundred fifty dollars (\$150)

To the chief clerk of the House of Representatives for the payment of postage on the Legislative Journal bills and calendars session of one thousand nine hundred and fifty-one the sum of eleven thousand dollars (\$11,000)

For the payment of salaries of the officers and employes of the House of Representatives session of one thousand nine hundred and fifty-one also for the payment of the session and recess salaries of all officers and employes whose positions are now or may be hereafter created and

for the payment of which provision is not otherwise made also for the payment of any increase which may now or hereafter be authorized in the recess and session salaries of all the officers and employes of the House of Representatives whose present salaries are provided for in this section the sum of two hundred two thousand dollars (\$202,000) for the two years beginning June first one thousand nine hundred and forty-nine

For the payment of the mileage of the officers and employes of the House of Representatives session of one thousand nine hundred and fifty-one the sum of four thousand dollars (\$4000)

For the payment of the salaries of the returning officers of the House of Representatives at the beginning of the session of one thousand nine hundred and fifty-one the sum of thirteen thousand dollars (\$13,000)

For the payment of the mileage of the returning officers of the House of Representatives at the beginning of the session of one thousand nine hundred and fifty-one the sum of three thousand dollars (\$3000)

For the payment of the salary of the chief clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine the sum of fifteen thousand dollars (\$15,000)

For the payment of the salary of the secretary of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine the sum of thirteen thousand dollars (\$13,000)

For the payment of the salary of the assistant to the chief clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine the sum of eight thousand four hundred dollars (\$8400)

For the payment of the salary of the stenographer to the chief clerk for the two years beginning June first one thousand nine hundred and forty-nine the sum of four thousand eight hundred dollars (\$4800)

For the payment of the salary of the secretary to the Secretary of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine the sum of five thousand six hundred dollars (\$5600)

For the payment of the salary of the messenger to the Chief Clerk for the two years beginning June first one thousand nine hundred and forty-nine the sum of three thousand six hundred dollars (\$3600)

For the payment of the salary of the secretary to the majority floor leader of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine as provided by law the sum of five thousand six hundred dollars (\$5600)

For the payment of the salary of the secretary to the minority floor leader of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine as provided by law the sum of five thousand six hundred dollars (\$5600)

For the payment of the salary of the Administrative Assistant to the Speaker for the two years beginning June first one thousand nine hundred and forty-nine the sum of six thousand dollars (\$6000)

For the payment of the salary of the clerk to the Speaker for the two years beginning June first one thousand nine hundred and forty-nine the sum of four thousand eight hundred dollars (\$4800)

For the payment of the salary of the superintendent of storerooms of the House of Representatives for the time employed during the two years beginning June first one thousand nine hundred and forty-nine as provided by law the sum of six thousand six hundred dollars (\$6600)

For the payment of salaries of one day watchman and one night watchman of the House of Representatives for the time employed during the two years beginning June first one thousand nine hundred and forty-nine as provided by law the sum of eight thousand eight hundred dollars (\$8800)

For the payment of the salary of the secretary to the Chief Clerk for the two years beginning June first one

thousand nine hundred and forty-nine as provided by law the sum of five thousand six hundred dollars (\$5600)

For the payment of the salary of the chief custodian of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine as provided by law the sum of four thousand four hundred dollars (\$4400)

For the payment of the salaries of the four custodians of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine as provided by law the sum of sixteen thousand dollars (\$16,000)

For the payment of the salary of the messenger to the Secretary for the two years beginning June first one thousand nine hundred and forty-nine as provided by law the sum of three thousand six hundred dollars (\$3600)

For the payment of the salary of the secretary to the Speaker of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine the sum of five thousand six hundred dollars (\$5600)

For the payment of the salary of the parliamentarian of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine the sum of ten thousand dollars (\$10,000)

For the payment of the salary of the amendment clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine the sum of six thousand six hundred dollars (\$6600)

For the payment of the salary of the supply clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine the sum of three thousand nine hundred sixty dollars (\$3960)

For the payment of the salary of the compiling clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine the sum of eight thousand dollars (\$8000)

For the payment of the salary of the finance clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-nine the sum of seven thousand two hundred dollars (\$7200)

For the payment of contingent expenses including clerical stenographic traveling and discretionary charges of the Speaker of the House of Representatives during the recess ending December first one thousand nine hundred and fifty the sum of five thousand dollars (\$5000) or as much thereof as may be necessary and for like expenses for the session of one thousand nine hundred and fifty-one the sum of five thousand dollars (\$5000)

For the payment of necessary expenses including extra labor in the office of the chief clerk and library for the year beginning June first one thousand nine hundred and forty-nine the sum of nineteen thousand dollars (\$19,000) and for the six months beginning June first one thousand nine hundred and fifty the sum of nine thousand one hundred dollars (\$9100)

For the payment of the incidental expenses of the House of Representatives for the six months commencing December first one thousand nine hundred and fifty and for the entire period of the session of one thousand nine hundred and fifty-one should the same extend beyond May thirty-first to be expended by the chief clerk who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts The whole amount thus expended by the chief clerk shall not exceed the sum of twenty-two thousand five hundred dollars (\$22,500)

To the chief clerk of the House of Representatives for the payment of extra services in connection with the compilation of the history of legislation in the House of Representatives session of one thousand nine hundred and forty-nine the sum of two thousand five hundred dollars (\$2500)

For the payment of the expenses of the Committee on Appropriations of the House of Representatives during the biennium beginning June first one thousand nine hundred and forty-nine in investigating schools colleges universities penal institutions mental hospitals medical

and surgical hospitals homes and other institutions and agencies supported in whole or in part by appropriations from the State Treasury in analyzing reports of said institutions and agencies in examining and analyzing requests of the same and of the various departments boards and commissions of the Commonwealth for appropriations and for the necessary clerical assistance and other necessary expenses in connection with the work of said committee in compiling data and information for the use of said committee and the House of Representatives during legislative sessions and during the interim between legislative sessions the sum of twenty-five thousand dollars (\$25,000) to be paid on warrant of the Auditor General in favor of the chairman of said committee on the presentation of his requisition for the same of the sum here-in appropriated not more than seventeen thousand five hundred dollars (\$17,500) shall be expended prior to the beginning of the regular session of the General Assembly of nineteen hundred and fifty-one The chairman of the Committee on Appropriations shall not later than thirty days after the termination of his term of office and also within thirty days after the adjournment of any regular or special session file an account with the Auditor General of the committee's expenses since the filing of the prior account

For the payment of the postage clerical stenographic and express charges and all other expenses in the office of the secretary of the House of Representatives for the year beginning June first one thousand nine hundred and forty-nine the sum of four thousand five hundred dollars (\$4500) and for the year beginning June first one thousand nine hundred and fifty the sum of four thousand five hundred dollars (\$4500)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Majority floor leader of the House of Representatives during the recess ending December first one thousand nine hundred and fifty the sum of five thousand dollars (\$5000) and for like expenses for the session of one thousand nine hundred and fifty-one the sum of four thousand dollars (\$4000)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Minority floor leader of the House of Representatives during the recess ending December first one thousand nine hundred and fifty the sum of two thousand five hundred dollars (\$2500) and for like expenses for the session of one thousand nine hundred and fifty-one the sum of one thousand five hundred dollars (\$1500)

For the payment of contingent expenses including extra services of employes of the House of Representatives and clerical stenographic traveling and discretionary charges of the Majority whip during the recess ending December first one thousand nine hundred fifty the sum of one thousand dollars (\$1000) and for like expenses for the legislative session of one thousand nine hundred fifty-one the sum of one thousand dollars (\$1000)

For the payment of contingent expenses including extra services of employes of the House of Representatives and clerical stenographic traveling and discretionary charges of the Minority whip during the recess ending December first one thousand nine hundred fifty the sum of seven hundred fifty dollars (\$750) and for like expenses for the legislative session of one thousand nine hundred fifty-one the sum of one thousand dollars (\$1000)

For the payment of the expenses incident to issuing certificates of election to members of the House of Representatives for the session of one thousand nine hundred and fifty-one (Act of June fourteenth one thousand nine hundred and eleven P. L. 926) the sum of seven hundred fifty dollars (\$750) to be paid by the State Treasurer on warrants of the Auditor General upon presentation of vouchers approved by the Speaker of the House of Representatives

To the chief clerk of the House of Representatives for the payment of the expenses of the House of Representatives or committee of the House of Representatives in attending funerals or expenses incident thereto of members

of the House of Representatives officers of the House of Representatives or State officials during the two years beginning June first one thousand nine hundred and forty-nine the sum of three thousand dollars (\$3000)

#### Legislative Journals

The expenses for paper and printing of the Legislative Journals shall be paid out of the appropriation for paper and printing made to the Department of Property and Supplies contained in this act

For the work of the Legislative Journal officials after the close of the session of one thousand nine hundred and forty-nine on the Legislative Journal also the proof-reading of the appendix and index thereto as provided by law the sum of four thousand five hundred dollars (\$4500)

#### Legislative Miscellaneous

For the payment of traveling and other expenses of the members of the General Assembly of Pennsylvania appointed by the President pro tempore of the Senate and the Speaker of the House of Representatives in attending the meetings of the American Legislators Association and the Council of State Governments the sum of two thousand five hundred dollars (\$2500) to be paid on warrants of the Auditor General in favor of the President pro tempore of the Senate or the Speaker of the House of Representatives on presentation of his requisition for the same The President pro tempore or the Speaker shall file an accounting of said expenses with the Auditor General

For the payment of premiums on surety bonds for chairman and officers of the Senate and House of Representatives to be paid by Chief Clerks of each House for the two years beginning June first one thousand nine hundred and forty-nine the sum of eight hundred dollars (\$800)

#### To the Joint State Government Commission

For the payment of wages and other compensation of the employes and for the payment of general expenses necessary for the proper conduct of the work of the Joint State Government Commission the sum of two hundred fifty thousand dollars (\$250,000) to be paid on warrants of the Auditor General in favor of the chairman of said commission on the presentation of his requisition for the same The chairman shall file an accounting of said expenses with the Auditor General

#### To the Legislative Reference Bureau

For the payment of the salaries and other compensation of the director assistant director librarian attorneys-at-law clerks secretaries stenographers typists messengers and other employes permanently employed for the two fiscal years beginning June first one thousand nine hundred and forty-nine and for those temporarily employed until the end of the session of the General Assembly of one thousand nine hundred fifty-one and for maintenance law books reference material incidental equipment and supplies traveling expenses and incidental expenses the sum of one hundred fifty thousand dollars (\$150,000)

### III Judicial Department

For the payment of the salaries of the judges of the Supreme Court and Superior Court the salaries and mileage of the president and other law judges of the several courts of common pleas in the Commonwealth and the judges of the several orphans' courts and for the compensation of common pleas judges holding court in other districts and for the payment of salaries and mileage of associate judges the following sums or as much thereof as may be necessary for the two fiscal years beginning June first one thousand nine hundred and forty-nine payments to be made monthly by warrant drawn by the Auditor General on the State Treasury except in the case of associate judges who shall be paid quarterly on August thirty-first November thirtieth February twenty-eighth and May thirty-first of each year but when by reason of death or resignation salary for a fraction of a quarter is due any judge

it shall be computed according to the ratio it bears to the whole quarter so as not however to increase or diminish the salary he is entitled to receive under the several acts of Assembly fixing the compensation of judges Provided That at the beginning of the term the interval from the first Monday of January to the first Monday of March shall be reckoned as two-thirds of a quarter and at the close of the term the interval from the first day of December to the first Monday of January shall be reckoned as one-third of a quarter

#### Supreme Court

For the payment of the salaries of the Supreme Court judges the sum of three hundred twenty three thousand dollars (\$323,000)

For the payment of the salaries or compensation of the briefers investigators stenographers typewriters and clerks and to reimburse the judges of said court for expenses incurred in the discharge of their duties or attendant upon execution of the duties of the office the sum of fifty-six thousand dollars (\$56,000)

For the payment of salaries wages and other compensation of a deputy prothonotary and other employes in the office of the Prothonotary of the Supreme Court for the eastern district and employes in the library of the Supreme Court at Philadelphia for the purchase of stationery supplies and the payment of the necessary expenses of the Supreme Court for the eastern district thereof for the purchase of books and necessary expenses of the library of the Supreme Court at Philadelphia the sum of sixty-five thousand two hundred dollars (\$65,200)

For the payment of salaries wages and other compensation of a deputy prothonotary and other employes in the office of the Prothonotary of the Supreme Court for the western district thereof for the purchase of stationery supplies books for the library and other necessary expenses of the Supreme Court western district the sum of forty thousand dollars (\$40,000)

For the payment of salaries wages or other compensation of the prothonotary and other employes in the office of the prothonotary of the Supreme Court for the middle district and for the payment of expenses for the Supreme Court in the middle district and the Superior Court at Harrisburg the sum of fourteen thousand six hundred dollars (\$14,600)

For the payment of the salary and expenses of the crier tipstaves official stenographers court officers and law secretary of the Chief Justice of the eastern middle and western districts and for premiums for workmen's compensation insurance covering all employes of the Supreme Court the sum of one hundred eighteen thousand eight hundred twenty-five dollars (\$118,825) Provided That the crier for the middle district shall receive no other compensation from the State

For the payment of the fees of the prothonotaries of the Supreme Court of the eastern middle and western districts on assignment of judges to counties other than their own under an order of the Supreme Court dated February nineteen one thousand nine hundred and nineteen the sum of four thousand five hundred dollars (\$4500) payments to be made monthly by the State Treasurer on warrants drawn by the Auditor General

For the payment of expenses of Board of Governance of the Pennsylvania Bar the sum of ten thousand dollars (\$10,000)

For the payment of the expenses of the Procedural Rules Committee appointed by the Supreme Court to assist it in the preparation revision promulgation publication and administration of general rules of practice for the courts of this Commonwealth the sum of twenty-five thousand dollars (\$25,000)

In the case of necessary expenses stationery supplies and books for the eastern western and middle district herein provided for the same shall be paid on warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the prothonotary of the said Supreme Court for the particular district thereof



For the payment of the salaries and expenses of the State Board of Law Examiners the sum of sixty thousand dollars (\$60,000)

#### Superior Court

For the payment of the salaries of the judges of the Superior Court the sum of two hundred ninety-five thousand dollars (\$295,000)

For the payment of the salaries or compensation of the clerks briefers investigators stenographers and typewriters of the Superior Court and to reimburse the judges of said court for expenses incurred in the discharge of their duties the sum of forty-nine thousand dollars (\$49,000)

For the payment of the salaries and expenses of the crier and necessary tipstaves of the Superior Court and for premiums for workmen's compensation insurance covering all employes of the Superior Court the sum of eighty-five thousand three hundred eighty-five dollars (\$85,385)

For the purchase of dockets stationery supplies books for the library and other necessary expenses of the said Superior Court or its officers the sum of fifteen thousand dollars (\$15,000) to be paid on the warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the prothonotary of the said Superior Court Philadelphia Harrisburg and Pittsburgh

#### Common Pleas Court

For the payment of the salaries of the judges of the courts of common pleas learned in the law in the several judicial districts of the Commonwealth the sum of three million seven hundred fifty-five thousand dollars (\$3,755,000)

For the payment of the compensation carfare and expenses of judges for holding court outside of their own judicial districts in accordance with law the sum of seventy-five thousand dollars (\$75,000)

For the payment of mileage allowed common pleas judges in judicial districts containing more than one county as provided by law the sum of five thousand dollars (\$5000)

For the payment of the judges of the courts of common pleas of Dauphin County for clerk hire in accordance with the law and for premiums for workmen's compensation insurance covering such clerks the sum of fifty thousand dollars (\$50,000)

#### Orphans' Court

For the payment of the salaries of the orphans' court judges in the several judicial districts in which separate orphans' courts have been established by law the sum of seven hundred twenty-five thousand dollars (\$725,000)

#### Municipal Court of Philadelphia

For the payment of the salaries of the judges of the Municipal Court of Philadelphia in accordance with law the sum of two hundred sixty-five thousand dollars (\$265,000)

#### County Court of Allegheny County

For the payment of the salaries of the judges of the County Court for County of Allegheny the sum of one hundred forty-five thousand dollars (\$145,000)

#### To the Juvenile Court of Allegheny County

For the payment of the salary of the judges of Juvenile Court of the County of Allegheny the sum of twenty-four thousand dollars (\$24,000)

#### Retired Judges

For the payment of the salaries of the judges of the Supreme Superior common pleas and orphans' courts who may resign or retire in accordance with the provision of the act of Assembly approved June twelfth Anno Domini one thousand nine hundred and nineteen (P. L. 461) the sum of eighty-one thousand dollars (\$81,000)

#### Associate Judges

For the payment of the salaries of the associate judges the sum of sixty thousand dollars (\$60,000)

For the payment to associate judges of mileage for the two fiscal years beginning June first one thousand nine hundred and forty-nine the sum of seven thousand dollars (\$7000)

#### State Reporter

For the payment of the salary of the State Reporter the sum of fifteen thousand dollars (\$15,000)

For the payment of the salary of the Assistant State Reporter the sum of ten thousand dollars (\$10,000)

For the payment of stationery clerk hire assistants and other general expenses the sum of twenty thousand six hundred forty dollars (\$20,640)

Section 3 This act is not intended to be inconsistent with or to repeal any provision of any act enacted at this or any prior session of the General Assembly regulating the purchase of supplies the ordering of printing and binding the purchase maintenance and use of automobiles the method of making payments from the State Treasury for any purpose or the functioning of any administrative department board or commission

Section 4 No appropriation made by this act to any department board commission or agency of the Executive Department shall be available unless and until such department board commission or agency shall have complied with sections 604 605 and 606 of The Administrative Code

Section 5 The term "employes" as used in this act shall include all directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chiefs experts scientist engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians marshals clerks stenographers bookkeepers messengers and other assistants in any department board and commission

Section 6 The terms "general expenses" and "maintenance" shall include all printing binding and stationery food and forage materials and supplies traveling expenses motor vehicle supplies and repairs freight express and cartage postage telephone and telegraph rentals and toll charges newspaper advertising and notices fuel light heat power and water repairs or reconstruction of equipment buildings and facilities rent of real estate and equipment premiums on workmen's compensation insurance premium on policies of liability insurance covering the operation of permanently assigned automobiles premiums on surety bonds the purchase of replacement or additional equipment and machinery other than passenger motor vehicles and all other incidental costs and expenses including payment to the Department of Property and Supplies of mileage charges for the use of automobiles and of expenses or costs of services incurred through the Purchasing Fund

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. F.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from his Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

#### JUDGE OF THE COURT OF COMMON PLEAS OF THE THIRTY-SECOND JUDICIAL DISTRICT

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 27, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Arthur P. Bretherick, 12 Golf Road, Lansdowne, Delaware County, for appointment as Judge of the Court of Common Pleas of the Thirty-second Judicial District, composed of the County of Delaware, until the first Monday of January, 1950.

JAMES H. DUFF.

#### MEMBER OF THE STATE CIVIL SERVICE COMMISSION

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 27, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George Young (Republican), 353 North Wade Avenue, Washington, Washington County, for reappointment as a Member of the State Civil Service Commission, to serve until April 9, 1954, and until his successor shall have been appointed and qualified.

JAMES H. DUFF.

#### SECRETARY OF COMMERCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 27, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Theodore Roosevelt, 3rd, 1593 Wayne Avenue, Villanova, Delaware County, for appointment as Secretary of Commerce, to serve until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified, vice Orus J. Matthews, Ardmore, resigned.

JAMES H. DUFF.

#### MEMBERS OF THE FULTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 27, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Fulton County Board of Assistance:

Rev. G. Loren Jones (Republican), McConnellsburg, Fulton County, to serve until December 31, 1950, and

until his successor is duly appointed and qualified, vice Roy W. Layton, Warfordsburg, deceased.

Wilmer G. Hays (Democrat), McConnellsburg, Fulton County, to serve until December 31, 1950, and until his successor is duly appointed and qualified, vice Wilson Nace, McConnellsburg, resigned.

Howard C. Peck (Republican), McConnellsburg, Fulton County, to serve until December 31, 1951, and until his successor is duly appointed and qualified, vice J. Campbell Patterson, McConnellsburg, resigned.

JAMES H. DUFF.

#### COMMUNICATION FROM THE GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

#### RECALLING NOMINATION FOR JUSTICE OF THE PEACE FOR THE BOROUGH OF WHITAKER, ALLEGHENY COUNTY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 27, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination made to your Honorable Body on April 21, 1949, for the appointment of Joseph Zak, 126 Whitaker Street, Whitaker, Allegheny County, as Justice of the Peace in and for the Borough of Whitaker, Allegheny County.

JAMES H. DUFF.

#### COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

#### APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 663, PRINTER'S No. 239

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 27, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 663, Printer's No. 239, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

The PRESIDENT. The bill will be laid on the table.

#### APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 575, PRINTER'S No. 243

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 27, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 575, Printer's No. 243, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

The PRESIDENT. The bill will be laid on the table.

APPROVED AND SIGNED SENATE CONCURRENT  
RESOLUTION RECALLING SENATE BILL  
No. 409, PRINTER'S No. 319

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 27, 1949.

To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

I have the honor to inform you that I have this day  
approved and signed Senate Concurrent Resolution recall-  
ing from the Governor Senate Bill No. 409, Printer's  
No. 319, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

The PRESIDENT. The bill will be laid on the table.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

He also presented in writing from His Excellency, the  
Governor of the Commonwealth, nominations for ap-  
pointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. LORD, JR. Mr. President I move that the Senate  
do now proceed to the consideration of nominations for  
appointment as Notaries Public, sent to the Senate, by  
His Excellency, the Governor of the Commonwealth, on  
April 27, 1949.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 27, 1949.

To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

In conformity with law, I have the honor hereby to  
nominate for the advice and consent of the Senate the  
following persons for appointment as Notaries Public, for  
terms of four years to compute from the date of con-  
firmation:

ALLEGHENY COUNTY

Miss Estelle M. Jones, Pittsburgh, 206 Martin Bldg.

ARMSTRONG COUNTY

Glenn R. Fulton, Kittanning.

BRADFORD COUNTY

Norman E. Wilson, Sayre.

BUCKS COUNTY

E. S. Lovett, Morrisville.

CRAWFORD COUNTY

Miss Lillian J. Brady, Titusville.

CUMBERLAND COUNTY

William H. Boldosser, Carlisle.

DAUPHIN COUNTY

George E. Bowman, Harrisburg.

DELAWARE COUNTY

Miss Mabel Bennett, Darby.  
Michael A. Honan, Chester.

ERIE COUNTY

Samuel M. Baker, Erie.  
John W. English, Erie.  
Miss Mary E. Minnaugh, Erie.

FAYETTE COUNTY

Joseph K. Bush, Brownsville.

FRANKLIN COUNTY

Miss Helen L. Seilhamer, Hamilton Twp., R. D. 4,  
Chambersburg.

LACKAWANNA COUNTY

Miss Marion F. Ruane, Scranton.

LANCASTER COUNTY

Carl H. Groff, New Holland.  
Mrs. Etta M. Sheaffer, East Earl Twp., R. D. 1, East Earl.

LEHIGH COUNTY

Miss Addie M. Baus, Allentown.  
Mrs. Marie C. Wagner, Bethlehem.

LUZERNE COUNTY

Walter Becker, Luzerne.  
George R. Hewitt, Luzerne.

MERCER COUNTY

Miss Marvella M. Meyer, Sharon.

NORTHAMPTON COUNTY

Mrs. Anna M. Crouthamel, Bethlehem.  
Miss Sarah C. Matz, Bethlehem.

PHILADELPHIA COUNTY

Clement Cipparone, 1725 Fernon Street (45).  
Warren H. Koch, 1608 Ludlow Street (3).  
Miss Mary R. Lawler, 426 Walnut Street (6).  
Miss Rae Schwartz, 807 Otis Bldg., 116 S 16th St.  
Mrs. Carolyn T. Smith, 1635 Hamilton St.  
David J. Whalen, 6549 Belmar Terrace (42).  
Thomas Winkler, 2d Floor, 32d & Walnut Sts.

SCHUYLKILL COUNTY

Mrs. Pruella C. Schaeffer, Pine Grove.

WESTMORELAND COUNTY

R. C. Thompson, North Belle Vernon.

JAMES H. DUFF.

A motion was made by Mr. LORD, JR., and Mr.  
WALKER,

That the Senate do advise and consent to said nomi-  
nations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the pro-  
visions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## HOUSE MESSAGE

## SENATE BILL NO. 229 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 229, entitled:

An Act making an appropriation to the Department of Welfare to reimburse state-aided hospitals for part of the cost of training student nurses in approved schools of nursing.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

## SENATE BILL NO. 247 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 247, entitled:

An Act to amend section one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-nine (P. L. 1798), entitled "An act providing a fixed charge, payable by the Commonwealth, on lands acquired by the State and the Federal Government for forest reserves, or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania, and preserving and maintaining the same as public places and parks; and the distribution of the same for county, school, township, and road purposes in the counties, school districts, and townships where such forests are located; and making an appropriation," by increasing the amounts which the counties will receive from the State for forest reserves.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

## SENATE BILL NO. 330 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 330, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians, including children and elderly people as well as family groups, industrial workers and others.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

## SENATE BILL NO. 465 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 465, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of revising the curricula of elementary, secondary and vocational schools.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

## SENATE BILL NO. 501 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 501, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

## SENATE BILL NO. 504 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 504, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers, sailors, marines, female field clerks, yeomen (female) and nurses.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

## SENATE BILL NO. 508 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 508, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research, Incorporated, Fox Chase, Philadelphia, Pennsylvania.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

## SENATE BILL NO. 660 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 660, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of and the purchase of apparatus and equipment for the Western State Psychiatric Institute and Clinic and for the conduct of teaching and research on the cause, treatment, prevention and cure for the various types of nervous disorders and mental diseases; and authorizing the use of income derived from the operation of the Western State Psychiatric Institute and Clinic.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill with amendments will be laid on the table.

#### BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 196, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the holding of special elections to fill vacancies in the councils or legislative bodies of cities boroughs towns and townships and for nominating candidates therefor and changing the provisions of said act relating to rejections of and objections to nomination certificates and nomination papers withdrawals of candidates substituted nominations and certifications by the Secretary of the Commonwealth of candidates for special elections

Senate Bill No. 245, entitled:

An Act to further amend section fourteen of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties," by increasing the minimum amount to be paid to certain members on retirement

Senate Bill No. 375, entitled:

An Act to further amend paragraph four of subsection A of section one thousand one of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and

officers imposing penalties and repealing certain acts and parts of acts" by further regulating the making of installment loans.

Senate Bill No. 415, entitled:

An Act making an appropriation to Washington and Jefferson College for conservation education; and requiring certain reports in connection therewith.

Senate Bill No. 471, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of the necessary expenses in connection with the establishing and operation of the recreational camp at Indiantown Gap Military Reservation.

Senate Bill No. 479, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

Senate Bill No. 500, entitled:

An Act to further amend subsection four of section fourteen of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes; defining the uses and purposes thereof, and the manner of payments therefrom; and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits and rights from taxation, and judicial process and providing penalties" by increasing the amount of retirement or compensation payments to persons now retired, receiving survivor annuities or State compensation under the Public School Employes Retirement System.

Senate Bill No. 551, entitled:

An Act relating to the disposition of unclaimed moneys in the treasuries of municipalities providing for the title of accounts of moneys placed in municipal depositories the crediting to the appropriate municipalities of amounts held for the payment of checks issued and outstanding for two years or more and the escheat for the use of the municipality of any sums appropriated for their payment when such checks are not presented within seven years from date of issue providing further for the paying over to the municipal treasurer of any moneys originally paid to any municipal officer that do not belong to such officer and remain unclaimed for a period of one year for the presenting of claims to such moneys by the persons legally entitled thereto and for the escheat for the use of the municipality of any such moneys unclaimed within seven years.

Senate Bill No. 560, entitled:

An Act to further amend section five hundred sixty-three of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further regulating the adoption and alteration of budgets in districts of the second, third and fourth class.

Senate Bill No. 603, entitled:

An Act providing for the payment of salaries to the president and members of the town council of incorporated towns at the discretion of the town council.

Senate Bill No. 655, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing insurance companies, associations and exchanges to make further investments of capital reserve and surplus funds in obligations issued assumed or guaranteed by International Bank for Reconstruction and Development.

Senate Bill No. 719, entitled:

An Act to impose a temporary tax on real estate for public school purposes in school districts of the first class to pay off any non-funded debt incurred for current expenses and any deficit incurred for current expenses

Senate Bill No. 723, entitled:

An Act to further amend Section 2 of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 227), entitled "An act authorizing stock corporations with certain exceptions to make provision for and to issue shares of capital stock of any class or classes or to change shares of authorized or outstanding capital stock or any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith," by authorizing further changes in the capital stock requiring a class vote of stockholders to authorize certain changes and providing for the valuation and purchase by the corporation of the shares of dissenting stockholders in certain situations.

Senate Bill No. 724, entitled:

An Act to amend the title and Section 1 of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (P. L. 679) entitled, "An act authorizing corporations to issue stock to their employees and to employes of their subsidiaries at par value or at a price in excess of par value" by eliminating the requirement that such an issue be at par value and authorizing such an issue without first offering such shares to the stockholders subject to certain limitations.

Senate Bill No. 745, entitled:

An Act to add section two hundred eleven point one to the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising and consolidating the law relating to the licensing, qualification, regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating

bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," by authorizing the assessment and collection by the Insurance Commissioner of assessments against life insurance companies to defray expenses of the committee on valuation of securities of the National Association of Insurance Commissioners providing for the determination of the amount of such assessments and the expenditure of such assessments by the Commissioner.

Senate Bill No. 842, entitled:

An Act to provide revenue for school districts of the first class by imposing a temporary business tax on the gross receipts of certain persons engaging in certain businesses therein; providing for its levy and collection; conferring and imposing powers and duties on the Board of Public Education receiver of school taxes, and school treasurer in such districts; and prescribing penalties.

Senate Bill No. 846, entitled:

An Act to amend the Act approved the twentieth day of June one thousand nine hundred and forty-seven (P. L. 733) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes county treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by continuing temporarily the provisions of the act for 1950 and succeeding years and by imposing certain duties on school treasurers in certain school districts of the first class and relieving county treasurers of certain duties under this act.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

#### HOUSE BILL No. 912 CALLED UP

Mr. WALKER. Mr. President, I call up for consideration at this time House Bill No. 912, which was passed over in its order temporarily.

#### BILL ON THIRD READING AND FINAL PASSAGE

Aggreably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 912, as follows:

An Act relating to and regulating the business of dry cleaning and dyeing as herein defined granting authority to and imposing duties upon the Department of Labor and Industry requiring approval by said Department of certain plans for dry cleaning and dyeing plants and the machinery equipment and systems used therein prescribing filing fees for applications for said approval providing for certain administrative and judicial review of the orders and decisions of said Department conferring authority upon certain employees of political subdivisions and representatives of the Pennsylvania State Police providing penalties for violations of the provisions of this act or the regulations adopted thereunder and repealing certain acts

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

Section 1 Short Title This act shall be known and may be cited as the "Dry Cleaning and Dyeing Law"

Section 2 Definitions For the purposes of this act the following words or phrases unless the context clearly in-

dicates otherwise shall have the meanings ascribed to them in this section

(1) "Department" shall mean the Department of Labor and Industry of the Commonwealth of Pennsylvania

(2) "Dry Cleaning and Dyeing" means the business or process of cleaning or dyeing wearing apparel cloth fabrics textiles leather goods feathers furs and hats of any type or kind by immersion and agitation or immersion only in a commercially non-aqueous volatile or volatile and inflammable liquid solvent applied either manually or by means of a mechanical appliance including sponging or brushing of such articles by the use of such solvents

(3) "Class I Solvent" means any inflammable petroleum solvent having the following properties

Flash Point (close cup tester) Lower than 100 degrees Fahrenheit

(4) "Class II Solvent" means any inflammable petroleum solvent having the following properties

Flash Point (close cup tester) Lower than 138.2 degrees Fahrenheit but higher than 99 degrees Fahrenheit

Initial Boiling Point Lower than 357.8 degrees Fahrenheit but higher than 300 degrees Fahrenheit

Ignition Temperature Lower than 453.2 degrees Fahrenheit but higher than 440 degrees Fahrenheit

Power Limit of Explosive Range Not less than 1.1 per cent by volume of air

Spontaneous Heating The solvent shall not heat spontaneously

(5) "Class III Solvent" means any inflammable petroleum solvent having the following properties

Flash Point (closed cup tester) Not lower than 138.2 degrees Fahrenheit

Initial Boiling Point Not lower than 357.8 degrees Fahrenheit

Ignition Temperature Not lower than 453.2 degrees Fahrenheit

Power Limit of Explosive Range Not less than 0.8 per cent by volume in air at an initial temperature of 302 degrees Fahrenheit

Spontaneous Heating The solvent shall not heat spontaneously

(6) "Class IV Solvent" means any commercially non-aqueous liquid solvent which is volatile but does not contain flash point ingredients and which is neither a Class I Class II nor Class III Solvent

(7) "Class I dry cleaning and dyeing plant" means any premises or establishment in which the business of dry cleaning or dyeing is conducted by utilizing Class I solvent in the dry cleaning or dyeing system and machinery

(8) "Class II dry cleaning and dyeing plant" means any premises or establishment in which the business of dry cleaning or dyeing is conducted by utilizing Class II solvent in the dry cleaning or dyeing system and machinery

(9) "Class III dry cleaning and dyeing plant" means any premises or establishment in which the business of dry cleaning or dyeing is conducted by utilizing Class III solvent in the dry cleaning or dyeing system and machinery.

(10) "Class IV dry cleaning and dyeing plant" means any premises or establishment in which the business of dry cleaning or dyeing is conducted by utilizing Class IV solvent in the dry cleaning or dyeing system and machinery

Section 3 Compliance with Act Required No person partnership association or corporation shall erect construct maintain or operate any dry cleaning and dyeing plant except in accordance with the provisions of this act

Section 4 Class I Dry Cleaning and Dyeing Plants Restricted Class I dry cleaning and dyeing plants in operation at the effective date of this act may be continued in operation subject to the rules and regulations adopted by the Department as hereinafter authorized

No person partnership association or corporation shall hereafter erect or construct any Class I dry cleaning and dyeing plant nor shall any such plant other than

those in operation at the effective date of this act be hereinafter maintained or operated

Section 5 Location and Construction of Buildings and Rooms Class II Class III and Class IV Dry Cleaning and Dyeing Plants (a) No dry cleaning or dyeing room shall be operated or maintained in any basement cellar or other space below the ground level or in any story above the first story in any building

(b) No room used for dry cleaning or dyeing shall be used for any other purpose or occupancy than spotting sponging brushing reclaiming of solvents and the housing of drying cabinets and tumblers

(c) Venting apertures near floor level shall be provided in dry cleaning dyeing tumbler and drying rooms kept clear of obstruction covered by suitable galvanized wire web and in such numbers and position so as to provide free circulation of air

(d) All discharge outlets of vent apertures shall be provided with suitable wire screen or equivalent and located so as to avoid hazard to surrounding property

(e) Every dry cleaning dyeing tumbler or drying room shall have installed therein an exhaust fan of sufficient size and a flue of noncombustible material adequate to prevent concentration of vapors above the maximum concentrations hereinafter specified for each class of dry cleaning and dyeing plant

(f) Flues and discharge pipes shall extend at least six feet above the roof lines or ceiling level of the dry cleaning or dyeing room and shall not terminate within ten feet measured horizontally of any door window or frame wall of any adjoining or adjacent building

(g) Adequate fresh air entrances must be provided so as to avoid a negative gauge pressure in every dry cleaning dyeing tumbler or drying room

(h) Where drying or solvent reclaiming is done in a separate building or room the building or room shall conform in all respects to the requirements for the main dry cleaning or dyeing building or room

Section 6 Location and Construction of Buildings and Rooms Class II Dry Cleaning and Dyeing Plants (a) No room used for the purpose of dry cleaning or dyeing shall exceed one story in height

(b) Any roof ceiling or other construction over any dry cleaning or dyeing room shall be of fire resistive construction and there shall be no concealed space above any such room

(c) No dry cleaning dyeing tumbler or drying room shall be located within ten feet of any other building unless separated therefrom by an unpierced fire wall but in no case shall more than two sides of a dry cleaning or dyeing room have blank walls

(d) Any room used for dry cleaning or dyeing shall have at least two exits remote from each other which open to the outside of the building

(e) Any room used for dry cleaning or dyeing shall be of non-combustible material and construction

(f) All walls of dry cleaning dyeing tumbler or drying rooms shall be of brick laid in cement mortar or of reinforced concrete not less than twelve inches in thickness or of stone laid in cement mortar not less than sixteen inches in thickness or of other noncombustible material constructed of a thickness of not less than twelve inches

(g) No combustible material shall be permitted in the construction of drying room racks

(h) All windows doors or other openings in dry cleaning dyeing or tumbler rooms shall be protected by wire glass in metal frames

(i) There shall be no inter-communicating opening from any dry cleaning dyeing tumbler or drying room to a pressing or sewing room

(j) There may be an inter-communicating opening between any dry cleaning or dyeing room and any drying room which shall be protected by a standard self-closing fire door

(k) Skylights shall be provided in all dry cleaning dyeing or tumbler rooms Skylights shall be constructed of metal frame and sash and be provided with wire-glass

The sash shall be of the pivot type and so hung as to swing out readily in case of fire

(l) The floor of every dry cleaning dyeing or tumbler or drying room shall be of concrete construction and shall not be lower than the surface of the earth surrounding any wall in which there is an opening or vent

(m) There shall be no basement cellar or other open space below the floor of any room used for dry cleaning or dyeing

(n) There shall be no direct sewer connections with dry cleaning dyeing tumbler or drying rooms

Section 7 Location and Construction of Buildings and Rooms Class III Dry Cleaning and Dyeing Plants (a) Any roof ceiling or other construction over any room used for dry cleaning or dyeing shall be of fire resistive construction

(b) If any dry cleaning or dyeing room is located in a multiple story building the remainder of such building may not be used for any purposes of public assemblage for any living housing or dwelling purposes

(c) If any dry cleaning or dyeing room is located in a multiple story building such building shall be of fire resistive construction throughout as stone steel concrete brick tile and such other non-inflammable materials as may be approved in the regulations adopted by the Department as herein authorized

(d) All walls of dry cleaning dyeing tumbler or drying rooms shall be of brick or concrete block laid in cement mortar or reinforced concrete not less than eight inches in thickness or of stone laid in cement mortar not less than twelve inches in thickness or other non-combustible material constructed of a thickness of not less than twelve inches

(e) No combustible material shall be used in the construction of drying room racks

(f) All windows doors or other openings in dry cleaning dyeing or tumbler rooms shall be protected by wire-glass in metal frames or fireproof shutters doors or covers

(g) Inter-communicating openings from dry cleaning dyeing tumbler and drying rooms shall be provided with standard self-closing fire doors

(h) The floor of every dry cleaning dyeing tumbler or drying room shall be of concrete construction and shall not be lower than the surface of the earth surrounding any wall in which there is an opening or vent if any such room is located over a basement the floor of such room shall be liquid and vapor tight

(i) Any room used for the purpose of dry cleaning or dyeing shall have at least one exit which opens to the outside of the building or to an interior fire-proof fire structure

(j) Any basement cellar or other open space below the first story of any building in which a dry cleaning or dyeing plant is located shall be used only by the person partnership association or corporation operating such dry cleaning or dyeing plant and any such basement cellar or other open space shall have installed therein an exhaust fan or fans of sufficient size and a flue or flues of non-combustible material adequate to prevent concentration of vapors above the maximum concentration hereinafter specified for the dry cleaning or dyeing rooms in class III dry cleaning and dyeing plants

(k) There shall be no direct sewer connections with dry cleaning dyeing tumbler or drying rooms

Section 8 Location and Construction of Buildings and Rooms Class IV Dry Cleaning and Dyeing Plants (a) Every room used for dry cleaning or dyeing shall have a ceiling covered with non-combustible material approved by the department

(b) If any dry cleaning or dyeing room is located in a multiple story building the remainder of such building may not be used for any purposes of public assemblage or for any living housing or dwelling purposes except that the owner of the dry cleaning or dyeing plant may occupy part of the building for his living quarters

(c) If any dry cleaning or dyeing room is located in a multiple story building such building shall be of fire resistance construction throughout

(d) All walls of dry cleaning dyeing tumbler or drying rooms shall be of brick laid in cement mortar or of reinforced concrete or of stone laid in cement mortar or covered with other non-combustible material approved by the Department

(e) Any room used for the purpose of dry cleaning or dyeing shall have at least one exit which opens to the outside of the building or to an interior fire-proof stairway

(f) The floor of every dry cleaning dyeing tumbler or drying room shall be of concrete construction or covered with other non-combustible material approved by the Department

(g) Any basement cellar or other open space below the first story of any building in which a dry cleaning or dyeing plant is located shall be used only by the person partnership association or corporation operating such dry cleaning or dyeing plant and any such basement cellar or other open space shall have installed therein an exhaust fan or fans of sufficient size and a flue or flues of non-combustible material adequate to prevent concentration of vapors above the maximum concentration hereinafter specified for the dry cleaning or dyeing rooms in Class IV dry cleaning and dyeing plants

Section 9 Machinery Equipment and Operating Conditions Class II Class III and Class IV Plants (a) No steam boiler furnace or steam generator or open flame or incandescent heating device or exposed fire shall be permitted in any dry cleaning dyeing tumbler drying or distilling room

(b) All heating shall be by steam or hot water system or other system equivalent in safety with pipes radiators or other devices installed with adequate clearances and properly protected where necessary against contact with combustible goods or materials

(c) All electric wiring equipment and appliances including motors shall conform to the regulations of the Department adopted as hereinafter provided

(d) All transfers of solvents shall be effected through continuous piping and all pipe connections or threaded joints shall be made up with a suitable sealing compound and all outlets or drain lines shall be drained to settling or storage tanks

(e) No solvent shall be settled or stored in any open or unprotected vessels or tanks Provided That scrubbing spotting and brushing operations may be carried on in dry cleaning or dyeing rooms with the use of not more than three pans or containers which shall be metallic and none of which shall contain more than three gallons of solvent and all solvent shall be returned to settling or storage tanks as soon as such operations are completed

(f) All storage tanks for volatile or volatile and inflammable solvents shall with respect to their size location and construction conform to the regulations adopted by the Department as hereinafter provided

(g) Fire extinguishers of a type and size approved by the department shall be provided for each five hundred square feet of floor space or when separate rooms of less than five hundred square feet of floor space are maintained one extinguisher for each room

(h) No machinery equipment or system shall be used in any dry cleaning and dyeing plant unless such machinery equipment or system has been approved for use therein by the Department in accordance with such regulations as the Department may promulgate under the authority herein contained to insure health and safety

(i) No dry cleaning or dyeing machine or system approved by the Department for the use of either a Class I Class II Class III or Class IV solvent shall have used therein any solvent other than that for which such machinery has been approved provided however that Class III solvent may be used in a machine or system approved for a Class II solvent

Section 10 Machinery Equipment and Operating Conditions Class II and Class III Plant (a) As a means of fire extinguishment in any dry cleaning dyeing tumbler or drying room the same shall be equipped with steam pipes which shall be separate from and other than the pipes used for heating or power and shall be located near the



ceiling In these pipes there shall be not less than two openings for each room all of which shall point toward the ceiling The steam supply for such pipes shall be continually available for service while the plant is in operation and shall be sufficient to completely fill the room space in less than one minute An outside screw and yoke valve shall be placed in the steam service line or lines outside of these rooms which shall be accessible for operation in case of fire an approved system using a fire deterrent chemical or gas or an approved sprinkler system may be installed in lieu of a steam extinguishing system

(b) A steam fire protection system shall be extended and connected to all washers and tumblers so that the fire extinguishing agent may be admitted to the interior of such machine

(c) The cylinders and shells of all dry cleaning or dyeing machines or drying tumblers and the cabinet walls of all drying cabinets shall be permanently and effectively grounded so as to mitigate danger from static electricity

(d) The fan or fans hereinbefore required for every dry cleaning dyeing tumbler or drying room shall be of sufficient size or number to prevent concentration of fumes above one thousand parts per million of atmosphere

Section 11 Machinery Equipment and Operating Conditions Class IV Plants The fan or fans hereinbefore required for every dry cleaning dyeing tumbler or drying room shall be of sufficient size or number to prevent concentrations of fumes above fifty parts per million of atmosphere for carbon tetrachloride systems or two hundred parts per million of atmosphere for perchlorethylene and similar types of systems

Section 12 Approval of Plans for Dry Cleaning and Dyeing Plants No person partnership association or corporation shall construct erect maintain or operate any dry cleaning or dyeing plant without first obtaining the approval of the Department for the plan of such plant and the machinery equipment and systems used therein Application for such approval shall be made upon forms prescribed by the Department and shall be accompanied by drawings covering floor plan roof plan and external elevations of the buildings indicating the position of all machinery and equipment exhaust fans motors storage tanks steam fire extinguishing lines where required and indicating compliance with such other requirements of this act as relate to the construction maintenance equipment and operation of the dry cleaning and dyeing plant to be erected constructed maintained or operated The aforesaid application shall also be accompanied by a plot plan showing the location of the dry cleaning and dyeing plant with respect to and the distances from all surrounding properties

Any dry cleaning and dyeing plant for which the approval of the Department has been secured as required by the laws specifically repealed by this act shall be deemed to have complied with the foregoing provisions of this section

A fee of five (\$5) dollars shall be paid to the Department at the time any application for approval shall be filed

Section 13 Enforcement of the Act Power to make Regulations The Department shall have general power to supervise the enforcement of this act and it may make alter amend and repeal such regulations for the protection of the public health and safety as are not inconsistent with this act and as may be necessary or proper for carrying into effect all the provisions of this act and for applying such provisions to specific conditions

Section 14 Review of Orders and Decisions of the Department Any person co-partnership association or corporation aggrieved by any order of the Department made in carrying out the provisions of this act or by the Department's refusal of any application for approval under section twelve of this act may at any time within thirty days after receipt of notice of such order or refusal appeal to the Industrial Board by filing with such Board a verified petition setting out specifically and in full detail the order or refusal upon which a hearing is desired and the reasons why such order or refusal is deemed to be unreasonable or invalid

The Industrial Board shall make an adjudication with respect to any such petition in accordance with the procedure prescribed in the Administrative Agency Law of June fourth one thousand nine hundred forty-five (P. L. 1388) its amendments and supplements and any such adjudication made by the Board shall be subject to judicial review in the manner prescribed by said Administrative Agency Law

Section 15 Inspection of Buildings Any building inspector any fire chief or fire marshal of any political subdivision or his authorized representative any inspector of the Department or any representative of the Pennsylvania State Police shall be permitted to enter any dry cleaning or dyeing plant at any reasonable hour for purposes of inspection

Section 16 Application of this Act to Existing Plants Nothing in this act shall be construed so as to restrict or limit the location of any building actually being used for dry cleaning purposes prior to the effective date of this act unless in the opinion of the Department a fire explosion or health hazard exists as a result of such location which seriously menaces or endangers the surrounding property persons living or working adjacent thereto or the public in which event the provisions of this act relative to location of buildings or rooms being used for dry cleaning and dyeing purposes shall be applicable

The provisions of this act shall not be held to apply to any plant building business or establishment now in use so as to require the same to be rebuilt but should any building or part thereof used for a dry cleaning and dyeing plant be reconstructed rebuilt or repaired the same shall as to new work be so constructed rebuilt or repaired in conformity with the provisions of this act

In addition to the provisions contained in this act for ventilation of cleaning and dyeing plants the Department may require additional ventilation where it is deemed necessary

Section 17 Penalties Any person co-partnership association or corporation or any member or officer of any co-partnership association or corporation who shall violate any of the provisions of this act or any of the rules and regulations adopted by the Department as herein authorized shall upon summary conviction be sentenced for the first offense to pay a fine of not less than ten (\$10) dollars or more than fifty (\$50) dollars and costs of prosecution and for any subsequent offense to pay a fine of not less than one hundred (\$100) dollars nor more than five hundred (\$500) dollars and costs of prosecution and in default of the payment of such fine and costs shall undergo imprisonment for a period of not less than ten (10) days nor more than sixty (60) days

Any person convicted in any summary proceeding under this act shall have the right of appeal or review by certiorari as in other cases of summary conviction

Section 18 Disposition of Fines All fines collected under the provisions of this act for violations of the same or the rules and regulations adopted by the Department as herein authorized shall be paid to the Department and transmitted to the State Treasury in the manner provided by law

Section 19 Savings Clause Any violations of any of the provisions of the laws specifically repealed by this act occurring prior to the effective date of this act may be prosecuted in the criminal courts and the prosecution concluded under such laws and for such purposes the laws specifically repealed by this act shall be deemed to remain in effect

Section 20 Repealer and Saving Clause The act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" and its amendments are hereby repealed

This act shall not be construed to repeal any of the provisions of the act approved the eighth day of June one thousand nine hundred and eleven (P. L. 705) entitled "An act creating the office of Fire Marshal to be attached to the

Department of Public Safety in cities of the first class prescribing his duties and powers and providing penalties for violations of the provisions of the act and providing for the method of appointment compensation and for the maintenance of his office" or of the act approved the third day of June one thousand nine hundred and forty-three (P. L. 821) entitled "An act authorizing the county commissioners in each county of the second class to appoint a fire marshal and two assistant fire marshals providing for the term of office and compensation of the persons so appointed and prescribing their powers and duties imposing certain additional duties upon county commissioners policemen constables watchmen and other persons authorizing the fire marshal or his assistants to enter upon properties to investigate various fire hazards and to order the removal or abatement of such hazards conferring certain police powers upon the fire marshal and his assistants repealing certain general special and local legislation and prescribing penalties"

Section 21 Effective Date The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Geitz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### SENATE CONCURRENT RESOLUTION

RECALLING FROM THE GOVERNOR SENATE BILL  
No. 688, PRINTER'S No. 349

Mr. WALKER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 27, 1949

Resolved (if the House of Representatives concur), that Senate Bill No. 688, Printer's No. 349, entitled "An act to further amend sections two hundred ten and five hundred eleven of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled 'An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of

Highways relating thereto' establishing one procedure for changing altering or establishing the width lines locations or grades of State highways in townships and boroughs and incorporated towns," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

#### SENATE RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO MAKE A STUDY OF THE LAWS RELATING TO ALL FISH, ANIMALS OF AQUATIC HABITS, AMPHIBIANS AND OTHER AQUATIC LIFE

Mr. SNOWDEN. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. SNOWDEN and KEPHART, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 27, 1949

Whereas, There is an urgent need to investigate and study existing laws concerning fish, frogs, terrapin, animals of aquatic habits, amphibian and other aquatic life, in the waters of this Commonwealth; Therefore, Be It

Resolved, That the Joint State Government Commission is hereby directed and authorized to review, investigate, study and consider all of the laws relating to fish, frogs, terrapin, animals of aquatic habits, amphibian and other aquatic life, in the waters of this Commonwealth, the laws providing for control over the same, the laws regulating the acquisition and improvement of lands and waters for the protection of animals of aquatic habits, to restate and codify all such laws, and to report its findings, with drafts of proposed legislation embodying its recommendations, to the next regular session of the General Assembly.

#### PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, several weeks ago there was placed on our desks a publication known as the Catalogue of Historical Scenes and Buildings in Pennsylvania.

Mr. President, I want to pay tribute to the Joint Government Commission for this fine publication. There is no more fascinating subject than the glorious past of Pennsylvania, and unfortunately many buildings, many historical sites, have been demolished and carelessly erased by people who are not attuned to the historical and glorious past of Pennsylvania.

Now, Mr. President, this study is not complete because legislation was not evolved that would help us to cope with the situation. Accordingly, on behalf of my colleagues, the gentleman from Somerset, Senator Hare, the gentleman from Warren, Senator Chapman, the gentleman from Westmoreland, Senator Dent, the gentleman from York, Senator Leader, the gentleman from Berks, Senator Ruth, the gentleman from Lancaster, Senator Diehm, the gentleman from Union, Senator Wolfe, and myself, I offer the following resolution, and ask for its immediate adoption.

#### SENATE RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO CONTINUE ITS STUDY AND SURVEY OF THE RESTORATION AND PRESERVATION OF HISTORIC BUILDINGS IN THE COMMONWEALTH

Mr. STIEFEL. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. STIEFEL, HARE, JR., CHAPMAN, DENT, LEADER, RUTH, DIEHM and WOLFE, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 27, 1949

Whereas The Joint State Government Commission has submitted an excellent report listing the historic buildings, sites and remains which constitute the tangible remains of Pennsylvania's rich and inspiring historic past, but no provision has been made for the protection and preservation of such historic buildings, sites and remains;

Whereas, There may be other historic buildings, sites and remains which should be added to this list; and

Whereas, All historic buildings, sites and remains throughout Pennsylvania are of inestimable educational and civic value and thus ought to be preserved for the benefit of present and future citizens of the Commonwealth, now therefore be it Resolved, That the Senate of Pennsylvania hereby instruct the Joint State Government Commission to make a study of appropriate legislation to assure the safety and preservation of the historical buildings, sites and remains, as listed in the Catalog of Historical Buildings, Sites and Remains reported by said Commission to the General Assembly, and to report the results of this study with definite recommendations for legislation at the next regular session of the General Assembly; Resolved, That the Senate hereby instruct the Joint State Government Commission with the cooperation of the Pennsylvania Historical and Museum Commission to continue its survey and revise its Catalog of the Historical Buildings, Sites and Remains in Pennsylvania which it deems to be of distinctive significance and value to the history or archaeology of this Commonwealth, and to report the revised Catalog to the General Assembly at its next regular session; and be it further Resolved, That the Senate hereby urgently request any person or persons owning or having custody of buildings, sites or remains which the Joint State Government Commission has deemed to be of distinctive significance and value to the history or archaeology of this Commonwealth not to destroy, alter or damage such buildings, sites or remains until the General Assembly at its next regular session has had an opportunity to take appropriate action.

### SENATE RESOLUTION

MEMORIAL SERVICES TO BE HELD THURSDAY,  
APRIL 28, 1949 AT FOUR O'CLOCK

Mr. FRAZIER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FRAZIER, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 27, 1949

Resolved that the Senate meet in special session on Thursday, April 28, 1949, at four o'clock P.M., for the purpose of holding Memorial Services for the following former State Senators who have died since the last meeting of the Senate: Hon. Clarence D. Becker, Hon. William C. McConnell, Hon. Charles E. Miller, Hon. W. Crawford Murdoch, Hon. Charles H. Ealy, Hon. Charles A. P. Bartlett, Hon. Henry I. Wilson, Hon. Webster Grim, and Hon. Charles L. Brown; also for the late James J. Davis, former United State Senator from Pennsylvania.

SENATE BILL No. 663 RECALLED FROM THE  
GOVERNOR, TAKEN FROM TABLE

Mr. WALKER, Mr. President, I call from the table for

consideration at this time, Senate Bill No. 663, recalled from the Governor for the purpose of amendments.

### RECONSIDERATION OF SENATE BILL No. 663

Mr. WALKER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 663, entitled:

An Act authorizing the compromise and arbitration of inheritance taxes when there are conflicting claims as to the domicile of the decedent and making uniform the law relating thereto.

passed finally

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. HARE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HARE. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WALKER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. HARE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HARE. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WALKER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Table of Contents, page 2, by inserting a new line after "Section 15 Estates Affected" to read as follows: "Section 16 Repealer"; Amend the last line of the Table of Contents, page 2, by striking out the numeral: "16"; and inserting the numeral: "17"; Amend page 4, line 2, by inserting after the word "agreement" and before the word "Unless" the following: "Such agreement shall finally and conclusively fix and determine the amount of tax payable to this State, without regard to any other provision of the laws of this State." Amend page 4, line 6, by adding after the word "penalties" the following: "In the event the aggregate amount payable under such agreement to the states involved is less than the maximum credit allowable to the estate against the United States estate tax imposed with respect thereto, the personal representatives forthwith shall also pay to the department so much of the difference between such aggregate amount and the amount of such credit as the amount payable to the department under the agreement bears to such aggregate amount. A copy of any such agreement shall be filed in the office of the proper register of wills, and any existing appraisement shall be deemed modified according to said agreement. In the event no appraisement has been made and filed prior to said agreement, the Department of Revenue shall direct an appraisement to be made and filed in the office of the proper register of wills in accordance with said agreement." Amend Section 15, page 7, line 14, by striking out after the word "to" and before the word "of" the word:

"states" and inserting in lieu thereof the word: "estates"; Amend page 7, by inserting between lines 14 and 15 the following: "Section 16 Repealer The act approved the fifth day of August one thousand nine hundred and forty-one (Pamphlet Laws 815) entitled 'An act to add section forty-three to the act, approved the twentieth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, five hundred twenty-one), entitled, "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal', authorizing compromise of tax claims in cases where there is a dispute as to the domicile of the decedent," is hereby repealed. Amend page 7, line 15, by striking out after the word "Section" and before the word "Effective" the numeral: "16" and substituting in lieu thereof the numeral: "17".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 663, on third reading, go over in its order as amended.

The PRESIDENT. Is there objection? The Chair hears none

#### SENATE BILL No. 575 RECALLED FROM THE GOVERNOR, TAKEN FROM TABLE

Mr. WAGNER. Mr. President, I call from the table for consideration at this time, Senate Bill No. 575, recalled from the Governor for the purpose of amendments.

#### RECONSIDERATION OF SENATE BILL No. 575

Mr. WAGNER Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 575, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), 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 com-

missions; 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," by authorizing the transfer of unneeded purchased supplies between departments, boards and commissions.

passed finally

The PRESIDENT. How did the Senator vote?

Mr. WAGNER. Mr. President, I voted with the majority.

Mr. HARE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HARE. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WAGNER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. WAGNER. Mr. President, I voted with the majority.

Mr. HARE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HARE. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on the third reading?

Mr. WAGNER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend page 2, line 12 of the title by inserting at the end of the line after the word "commissions" the following: "and by making it a misdemeanor to refuse to obey a subpoena issued hereunder"; Amend page 6 by inserting between lines 3 and 4 the following: "Section 2. Section five hundred twenty of said act is hereby amended to read as follows:

"Section 520. Every administrative department, every independent administrative board and commission, every departmental administrative board and commission, every advisory board and commission, and the several workmen's compensation referees, shall have the power to issue subpoenas, requiring the attendance of witnesses and the production of books and papers pertinent to any hearing or investigation authorized by law before such department, board, commission, or officer, and to examine such witnesses, books, and papers.

Any witness, who without legal justification therefor refuses to obey a subpoena issued hereunder, or who refuses to be sworn or affirmed, or to testify, or who is guilty of any contempt after summons to appear, [may be punished for contempt to court, and, for this purpose, an application may be made to any court of common pleas within whose territorial jurisdiction the offense was committed, for which purpose, such court is hereby given jurisdiction] shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred (\$500) dollars or to undergo an imprisonment not exceeding one (1) year or both in the discretion of the court". Amend page 6, line 4, by striking out after the word "Section" and before the word "This" the following: "2" and inserting in lieu thereof the following: "3"

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 575 on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### SENATE BILL No. 409 RECALLED FROM THE GOVERNOR, TAKEN FROM TABLE

Mr. HOMSHER. Mr. President, I call from the table for consideration at this time, Senate Bill No. 409, recalled from the Governor for the purpose of amendments.

### RECONSIDERATION OF SENATE BILL No. 409

Mr. HOMSHER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 409, entitled:

An Act to further amend section eleven of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees retirement system and creating a retirement board for the administration thereof; establishing certain funds from contribution by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payment therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process, and providing penalties," by extending service allowance of certain employees.

passed finally

The PRESIDENT. How did the Senator vote?

Mr. HOMSHER. Mr. President, I voted with the majority.

Mr. HARE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HARE. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. HOMSHER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. HOMSHER. Mr. President, I voted with the majority.

Mr. HARE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HARE. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. HOMSHER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 2, last line of title, by inserting after the word "employees" the following: "and requiring contributions by school boards and vocational school boards"; Amend Sec. 1 (Sec. 11), page 3, line 7, by striking out the bracket before the letter "a"; Amend Sec. 1 (Sec. 11),

page 3, line 9, by striking out the bracket after the word "were"; Amend Sec. 1 (Sec. 11), page 3, line 12, by inserting after the word "Mexican" the following: "Punitive Expedition"; Amend Sec. 1 (Sec. 11), page 3, line 12, by inserting after the numerals "II" the following: "provided such contributor returned to public school service within one year after separation from military service"; Amend Sec. 1 (Sec. 11), page 3, line 15, by inserting after the word "school" the following: "Every school board or vocational school board shall pay into the fund, the contributions required to be paid by it, and in addition the amount of contributions required to be paid by every contributor employed by it, for each year or fraction thereof, spent in military service, for which credit is acquired by such contributor under the provisions of this act". Amend Sec. 1 (Sec. 11), page 4, line 12, by inserting after the word "be" the following: "[counted]"; Amend Sec. 1 (Sec. 11), page 4, line 12, by underscoring the word "included".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 409, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### STUDENTS FROM BRADFORD HIGH SCHOOL PRESENTED TO SENATE

Mr. BERGER. Mr. President, I would like to introduce to the Chair and to the Members of the Senate, eight students from the Bradford High School, who with their coaches, Messrs. Walker and Cummings, are on their way to participate in a state debating society contest in Pottstown.

The PRESIDENT. The Chair, on behalf of the Members of the Senate, would like to welcome the students from Bradford High School, and we hope you will enjoy the Session.

### PRESENTATION TO LIEUTENANT-GOVERNOR DANIEL B. STRICKLER, PRESIDENT OF SENATE

Mr. HOMSHER. Mr. President, I had hoped to get through the Session of 1949 without coming to the microphone, but my colleagues on this side of the Senate have imposed upon me a pleasant duty to perform.

Mr. President, we have gone through more than four months of almost continuous Session here, and during that time, the going at times was rough. We have had to prevail upon our Presiding Officer, who has been most patient with us, and has persevered with us. During the time of the little squabbles that we get into from time to time he has been most fair in his decisions to this body.

Mr. President, the gentlemen on our side of the Senate desire to express to you in some manner, by a small token, their keen appreciation of your patience, perseverance and excellent service in presiding over the body of this Senate.

It is my pleasure, on behalf of my colleagues, to present you with this small token.

The PRESIDENT. Senator Homsher, Members of the Senate and those of my colleagues on the Majority Side, I want to thank you very much for your thoughtfulness in giving me this token. It is a remembrance of my fond association with you gentlemen, and I want to say in return that I appreciate your courtesy and your kindness in cooperating with me in presiding over this end of the desk, and in expediting the business of the Senate.

In addition to that, I want to thank you for the fine hospitality shown me while away from the desk, and on official duties around the Capitol.

PRESENTATION TO SENATOR M. HARVEY TAYLOR,  
PRESIDENT PRO TEMPORE OF SENATE

Mr. TALLMAN. Mr. President, I have a very pleasant duty to perform this afternoon, together with some of the other of my colleagues, and I want to make clear what mine is at the outset.

Mr. President, it has been the choice of my colleagues on the Majority Side that I should be privileged to make a presentation to the President pro tempore, Senator Taylor, and I want to make it quite clear that I was going to do that so that Senator Taylor, because I know that he is entirely unaccustomed to receiving gifts, both within and without the Senate, could prepare himself to answer in the very capable fashion that we are all so well acquainted with.

Mr. President, I also want to make it clear for an additional reason. When it was determined by the Members on this Side of the Senate to present Senator Taylor with a token of our esteem, behind closed doors, Mr President, we decided that we ought not say anything at all about the hope and wish of most of the Members of this Side that Senator Taylor, State Chairman, would think of us kindly in connection with our applications for jobs over in the Auditor General's and Treasurer's office, come within a few days.

Having made that very clear, Mr. President, I would like to turn to the more serious side of the presentation, and say that those of us on the Majority Side, and I am sure not in any small measure, the men on the other side of the aisle, share our very high esteem for Senator Taylor.

Mr. President, in the performance of his official duties in the Senate, both on and off of the rostrum, he has been patient, he has been kindly, he is mindful of the many and varied different personalities that are represented in this Chamber, he has been courteous and he has been anxious to be of assistance to every Member of this Senate. Aside from his personal duties, we have had the pleasure and privilege of sharing with him many hours of good camaraderie, and for that we are mutually happy.

Mr. President, on behalf of the Members of the Majority, it is my very happy privilege to present to the President pro tempore, Senator M. Harvey Taylor, a small token of our warm affection for him, and with it goes our good wishes for continued success and a lot of happiness.

Mr. TALLYOR. Mr. President and Senator Tallman, as far as the Auditor General and State Treasurer are concerned, until May 1st, 2nd, or 3rd, I am in pretty good shape to help you fellows, but after that, I do not want to guarantee too much.

Mr. President, I want to thank you from the bottom of my heart for this gift, and especially since you gave it to me.

PRESENTATION TO SENATOR JOHN M. WALKER,  
MAJORITY FLOOR LEADER OF SENATE

Mr. T. NEWELL WOOD. Mr President and Members of the Senate, some months ago we had a little meeting and drafted our Floor Leader, much against his wishes, to serve for us during this Session. I believe that I can truthfully say, in speaking for all of the Members of the Senate, that he has served us well and with distinction.

Mr. President, those of us on our side of the aisle have appreciated his ability and industry in caucus and here on the floor. I would also like to say, Mr. President, that he is a man of tastes, expensive tastes, and the Members of this Committee, of which I happen to be one, wish to compliment him on the selection of his gift.

Seriously, Mr. President, I am deeply honored and happy to be able to present to our distinguished Floor Leader, the gentleman from Allegheny, Senator John M. Walker, a slight token of our esteem and appreciation for his wonderful service to us this year.

Mr. WALKER. Mr. President, after looking at this wonderful gift, I might say that it is the same one I picked out. May I say, Mr. President, I would be very happy if the Senate would assign two Sergeants-at-Arms to carry it around for me.

Mr. President, it certainly has been a rare experience to be the Majority Leader in this Senate. I have enjoyed it very much, I have enjoyed the cooperation of my colleagues, I have enjoyed and appreciated their patience with what might be called and termed a wild Irish temper.

I also want, at this time, to pay my very deep respect and appreciation to my good friend, John Dent, and his colleagues, for their cooperation. I think, Mr. President, that we have had one of the quietest and most dignified Sessions that it has ever been my privilege to witness here in the Senate of Pennsylvania, and at this time I know the newspaper men who wrote those news stories, predicting what a wild Irish Donegal we would have here with Senator Dent and Senator Walker trying to tear the building down, feel kind of disappointed that the fireworks were not forthcoming.

Mr. President, I want at this time to take the opportunity to pay my very sincere respects to the personnel of the Senate who have made this job so enjoyable, and have given me so many short cuts in discharging my responsibilities.

Then, Mr. President, I come to another phase in our procedure. Every good team has a quarterback, and every good team has a coach. For years we have said, half in fun and all in earnest, "Beware of that Walker. He is 'Taylor' made". Mr. President, I have enjoyed my many years of association with Harve Taylor. I first became acquainted with him in 1934, during the gubernatorial election (it takes courage to mention that) and when the roll was called we discovered that for the first time in a generation we had lost the front office. Since that time I have learned to love and respect Harve, and he has been very patient and helpful in attempting to teach me some of the things that a person should know if he is going to discharge a public responsibility in a public office.

Then, Mr. President, at the same time that I was appointed Majority Floor Leader by the Republican Caucus, we elected a Chairman of the Caucus and a Caucus Whip. It is remarkable the assistance, the cooperation and the help that I have received from Fred Hare and Jimmy Berger.

They have been anticipatory in the discharge of their duties and in helping me get along in this office. It is not an easy task. Anybody who has served on it ought to know that at times it is so easy to make mistakes of the head, when at the same time one is trying not to make mistakes of the heart, and as a result, Mr. President, these two fellows have been remarkable in helping me, and in a way helping Harve. We have factiously called it the backfield, but it has not been by any means the "Four Horsemen", or nearly as effective, but at least, we have had remarkable teamwork.

Mr. President, the success of the efforts of this Session will have to be judged by a calculating public after the Session has adjourned, but I want to say that in my heart the success of the cooperation of these three fellows, as far as I am concerned, is judged right now. I will never be able to repay them, I will never be able to repay the Republican Caucus, but I would like at this time, if I might, to interject and present to Fred Hare, Jimmy Berger, and Harve Taylor, a slight token as an expression of my appreciation for their cooperation.

Mr. BERGER. Mr. President, I am, of course, very grateful for the token of esteem that Senator Walker has given to me today, but I am even more grateful to the Republican Caucus, rather than for the gift, for the cooperation that they have shown to me when I was chosen to preside over the deliberations of the caucus, and for the kindness and consideration that they have shown in exhibiting forbearance to the faults which I know I have.

Mr. President, I think it would not be amiss at this time for me to thank the entire Membership of the Senate for the courtesies and kindnesses that they have shown to me during this Session, and also, Mr. President, I want to compliment as greatly as I can the work that has been done on the floor by Senator Walker, whom we selected at the outset of this Session to be our Floor Leader, and to thank Harve Taylor and Fred Hare for the very great cooperation and pleasantness that they have shown with me.

Again, I want to say, thank you, all of you.

Mr. HARE. Mr. President, Senator Walker, and Members of the Senate, I deeply appreciate this gift of brotherly love and brotherly affection in token form from the Majority Floor Leader of the Senate, Johnny Walker, and my associations with him, with Senator Taylor, and with Senator Berger, will go down in my lifetime as one of the bright spots of my life.

Mr. President, it was always a pleasure to look around the floor of the Senate and see how many votes John needed to pass a bill, and at times, I was very thankful I was trained as a school teacher, for sometimes the Senators, through forgetfulness, would leave their places, and they always reminded me when they left in such a hurried fashion—Senator Lord was faster than any 200-yard dash man I ever saw—they always reminded me of the little Amish girl up home who went with a fellow for twenty years in hopes, and finally, after twenty years, he went West, and she sat down and wrote in Pennsylvania Dutch a little squib, which reminds me somewhat of the Senators who were absent from their seats. This is what she wrote:

"My love has flew, him did me dirt,  
 "I never knew he was a flirt.  
 "To them in love I now forbid  
 "Lest they be dood,  
 "Like I've been did."

Mr. President, "I've been did well" by John, and Harve, and Jimmy Berger, and Johnnie Dent, whose word I always found to be his bond, and by the Members of the Republican Caucus and the Members of the Democratic Caucus as well. To them, Mr. President, I extend my humble thanks and deep appreciation.

#### PRESENTATION TO SENATOR JAMES S. BERGER, CHAIRMAN OF REPUBLICAN CAUCUS

Mr. WATSON. Mr. President, I, too, have a very happy duty to perform. The Republican Caucus has been honored during this Session by having as their Chairman the gentleman from Potter, Mr. Berger. Jimmy has worked very hard, and in spite of the many hours he has put in, he has been fair, he has been even kind with us when we got a little unruly, and so on behalf of the Republican Caucus, Senator Berger, a swell fellow, we want to present to you this slight token of the appreciation of our association with you.

Mr. BERGER. I just want to say one thing in addition to the remarks I made a few moments ago. This reminds me somewhat of the closing moments of the Session of 1945, when one of the Senators on the Democratic Side, at about four o'clock in the morning, made a very splendid address on a bill in which he was interested. There were only a few of us in the Chamber at the time, and we applauded heartily, and he made the same speech over again, word for word.

I certainly thank the Members of the Republican Caucus for this token of their good will.

#### PRESENTATION TO SENATOR FRED P. HARE, JR., MAJORITY WHIP

Mr. MAHANY. Mr. President and Members of the Senate, the gentleman from Allegheny, Senator Walker, gave my speech a little while ago because I was supposed to tell you how we of the Senate feel about the gentleman from Somerset, Mr. Hare.

Mr. President, I think it is quite appropriate that they did pick on the Senator from Crawford County to do this job for the Senator from Somerset because, perhaps, and I think I can say without any contradiction, that Crawford County is the only county in the state of Pennsylvania which produces better maple syrup than Somerset County. I also was very fortunate when we went out on that little party and drafted Senator Walker for our Majority Floor Leader in that they left one job nobody seemed to think about, and that was the Majority Whip. So, at the opportune time, I was fortunate in getting up and nominating my good friend, Senator Hare, for that job, and I think it can also be said without any fear of contradiction that the Senator from Somerset has done a very fine job.

Mr. President, I noticed in the dictionary that the word "whip" is defined as one who belabors by some stinging language, and I know that he has not done that, but it also means one who has preserved party harmony and who has seen that the Members of the Legislature of his particular party are in their seats at the proper time.

Mr. President, the job of Majority Whip has been considered to be more or less of a lowly one, but he has made a great thing of it. He had installed on his desk a lighting arrangement, with telephone communication,

and so on, and that thing lights up like one of Murray Peelor's sparklers, and I know that it has been of considerable aid to Senator Hare in preserving decorum.

Mr. President, to show Senator Hare that we all feel very kindly toward him for the job he has done, without using these stinging words, I want to present to him, on behalf of my colleagues, this small token. I hesitate to present it to him right now after that lavish gift which he got from the Majority Floor Leader. By comparison, this perhaps is not quite as large, but it carries the hearts of all of us with it.

Mr. HARE. Senator Mahany and Members of the Pennsylvania Senate, the Whip, at the close of the Session, has sort of lost his snap.

Johnny Walker has aptly said that he is "Taylor made," and I suppose, as a result of the Hershey Caucus, I am "Mahany made."

Mr. President, it was my privilege this week to run second best to Rowland Mahany when he was selected by our colleagues at one of our dinners as the champion in his given field, and I want to pay tribute to him, not only as a grand colleague, but as a champion in his own right. However, he had no business to insert county colloquialisms in this discussion by bringing up the merits of Crawford and Somerset Counties. Anyone who reads history knows that Somerset is the grandest county in the state, famous for its red barns, its green grass, and its beautiful women, and maple sap isn't the only thing that flows there.

Mr. President, at the risk of becoming repetitive, I do want to thank the grand Members of the greatest club on earth for this token of their love and appreciation.

**PRESENTATION TO SENATOR A. EVANS KEPHART,  
SECRETARY OF REPUBLICAN CAUCUS**

Mr. WATKINS. Mr. President, I have the honor and privilege today of rising to pay tribute to a great colleague. It certainly is a pleasure to be here today under these circumstances.

Mr. President, we have in our midst the gentleman from Philadelphia, Senator Kephart, who has served as our Entertainment Chairman during this whole Session, and as Secretary of the Caucus. I want to say that I do not think any man has worked any harder to serve the Members of this great Assembly than our friend, Senator Kephart.

Mr. President, I found myself just last week singing in the bathroom. The theme song of the Senate is very dear to my heart, as well as the rest of my colleagues, and I think that is accomplishing a great bit. When men can sing in the bathrooms, they have happy hearts, and certainly he was instrumental in a great part for it.

Mr. President, I have had the pleasure of eating some wonderful food that he planned, I have had the pleasure of seeing him amend bills, and amend bills, and amend bills for the sake of all of us, and I think Senator Kephart has contributed a great deal to the benefit of his fellow colleagues by the tireless work that he has displayed, and he is tired quite a bit.

Mr. President, it is my privilege to present to my friend, Senator Kephart, a small token of appreciation from his colleagues. We all wish him well, and hope that he will be back with us next year to continue with his good work.

Mr. KEPHART. Mr. President, I sort of got wind a couple hours ago that Senator Watkins was going to make this presentation, and I have been quite worried during that length of time. I did not know whether I was going to get it or not.

Mr. President, I want to express my appreciation to Senator Walker also for having such expensive tastes; aside from that, I wouldn't have had it either. There is a little secret between a few of us.

Seriously speaking, Mr. President, I desire to thank all of the Members of the Senate for all the help they have given me in the trials and tribulations that I have put them through with regard to the legislation for Philadelphia. I want to say that aside from that, for which I am deeply appreciative, I also appreciate the good fellowship of you men in the Senate. As Fred Hare said, it is the greatest club in the world, and I am certainly glad to be a part of it, and hope, too, that I will be back with you next Session. If I am not, I will certainly be here in spirit, and maybe I will get up and sing for you once in a while.

**PRESENTATION TO SENATOR JOHN H. DENT, MINORITY FLOOR LEADER, SENATOR JOHN J. HALUSKA, MINORITY WHIP, AND SENATOR FRANK W. RUTH, CHAIRMAN OF DEMOCRATIC CAUCUS.**

Mr. ROSENFELD. Mr. President, this is the pause, fortunately, that occurs at every Session, and it is a very pleasant refresher for all of us. Here we are fifty-one of us from different walks of life, from different localities of the Commonwealth, of different backgrounds, different characteristics, and different temperaments, with only three things holding us together. First, our political ideologies, secondly, our feelings for each other as men, and finally, the total sympathy we have for each other knowing what we must suffer in the course of a Legislative Session.

Under the circumstances, on behalf of my colleagues on this side of the House, we want all of our colleagues to know that we share in the joy of giving and receiving by any Member of this body. More specifically, it affords me extreme pleasure, and I deem it a personal honor, to be asked to make a few presentations to the leaders on this Side of the Senate, where with fifteen different factions to contend with, our Minority Leader, our Minority Whip, and the Chairman of our Caucus, have been able to maintain a solid front on matters that required strong discipline. If, under these circumstances, they have been able to teach us that notwithstanding our differences of opinion, and no matter how deeply they cut, we must learn and have learned to live together and respect each other, then they certainly deserve the praise that men reserve for each other only where their finest sensitivities are touched.

Mr. President, in this momentary surcease from our arduous duties which may perhaps lessen the feeling of turmoil in the dying moments of this Session, I am extremely pleased, on behalf of my colleagues, to present to our honored leader a gift of a chime clock. Its beauty is surpassed only by the beauty of the spirit in which it is given, and in its tolling of time in the years to come, I know Johnny Dent will look at it longingly and lovingly, and if turning the hands of time back to moments like these will add to his happiness, he has our permission to turn the hands back.



Mr. President, to our Minority Whip, Senator Haluska, whose genial nature and amiability have had more than a little to do with the successful operation of this Side of the House, I have the pleasure to present to him a beautiful pitcher and tray. We hope that he, too, in the course of time will know the deep spirit attached to this presentation.

I do want to caution him, however, by warning him that unlike the pitchers of the Pittsburgh Pirates, who may from time to time be knocked out of the box, this one has such perfect control that it need never be taken out or traded.

Mr. President, to Reverend Ruth, Chairman of our Caucus, whose spiritual and kindly feelings were needed to keep us together, I offer the thanks of all of my colleagues. We jumped the gun with Senator Ruth, and presented our gift to him at our Caucus. We know he will use it well.

Mr. President, may these of my colleagues make use of these tokens of our real and sincere appreciation in good health and happiness for many, many years to come.

Mr. DENT. Mr. President and Members of the Senate, it goes without saying that I deeply appreciate the spirit displayed here this afternoon. I was a little bit afraid at first because, in proportion to the representation in the Senate, when they gave Senator Walker the golf clubs, I was wondering what I was going to get. However, Mr. President, sitting over here during the presentations, I was wondering to myself, here we are fifteen Members over here, and I know that all of us, each of the fifteen Members, dreams of the time when we will be thirty-five, and they will be fifteen. Then I started to think, now, who would I eliminate, who would I strike off the list, and as I look around the Senate and see the smiling and friendly faces of the opposition, at the present moment, with the feeling that I find in my heart, I'll be darned if I wouldn't want to keep it just as it is.

Now, some other time, of course, in the heat of a debate, I would probably wish there were no Republicans here. However, at this moment I cannot think of a place in the whole world where I would rather be, and I can't think of anybody I would rather be with.

Mr. HALUSKA. Mr. President, I want to thank my colleague for the kind thoughts which go with the gift that was just presented to me. I shall cherish it as long as I live, but beyond the gift is the memory of the spirit in which it is given and that will be a happy memory to me until my dying day.

Mr. RUTH. Mr. President, Members of the Democratic Party, and Members of the Senate, I have been here for quite a long time, but this is the first time in my twenty sessions that I was on the receiving end of a gift, and since the Caucus gave me my gift this week in the form of a check, I determined to use it and share it with the one who has made my being here possible and with whom it will be forty years this coming Sunday that we walked together through life. So, I shall be very happy to share it with her because she has made my work possible in being patient and carrying on with my work at home when I was here.

I want to thank you sincerely.

Mr. WALKER. Mr. President, I deeply appreciate the suggestion from my associate on the other side of the aisle, and I know my Republican Colleagues will not feel

it amiss if I share my gift with my good friend, Johnny Dent. He asked for it, and he will get it.

(At this point, Senator Walker tossed several golf balls over to the Minority Floor Leader, Senator Dent.)

### BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 26, entitled:

An Act to reenact section four of the act, approved the fourth day of April, one thousand seven hundred ninety-eight (2 Smith Laws 331), entitled "An act limiting the time, during which judgment shall be a lien on real estate, and suits may be brought against the sureties of public officers," relating to the time suits may be brought against sureties of public officers.

House Bill No. 138, entitled:

An Act providing for the payment of moneys to political subdivisions the taxes of which are reduced by the acquisition of lands and property by the Commonwealth for the purpose of securing the payment or repayment of money due the Commonwealth.

House Bill No. 140, entitled:

An Act to further amend section one thousand four hundred two of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," defining the residence of certain children living upon State owned property and providing for certain Commonwealth reimbursements.

House Bill No. 182, entitled:

An Act to amend section one of the act approved the fifth day of July one thousand nine hundred forty-seven (Appropriation Acts page 53 Act No. 62-A) entitled "An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school" increasing the per capita annual maintenance rate of wards of the Commonwealth and the amount of the total appropriation

House Bill No. 195, entitled:

An Act to amend article eleven of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by providing for restitution in offenses against personal property.

House Bill No. 395, entitled:

An Act authorizing the conveyance of the interest of either former spouse after a divorce to the other without the joinder of the other, of such former spouse's interest in real estate which is held by them as tenants by the entirety; and validating such conveyances formerly made.

House Bill No. 417, entitled:

An Act to amend section four hundred thirteen and to add section four hundred thirteen point one to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code" by further penalizing the furnishing of false or libelous statements or matter for publication or broadcast.

## House Bill No. 418, entitled:

An Act to add section four hundred eighteen to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by creating an additional crime of loitering and prowling at night.

## House Bill No. 486, entitled:

An Act to further amend section seven hundred nineteen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by changing the dog training period.

## House Bill No. 519, entitled:

An Act to further amend section nine of the act, approved the thirty-first day of March, one thousand eight hundred sixty (P. L. 427), entitled "Criminal Procedure Act of 1860," by providing for the entry of nolle prosequi in certain fraudulent conversion cases.

## House Bill No. 535, entitled:

An Act defining and prohibiting unfair sales of cigarettes; conferring powers and imposing duties on the Department of Revenue and on persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; providing for the suspension and revocation of Cigarette Tax Permits; and providing remedies and penalties for violations.

## House Bill No. 701, entitled:

An Act to further amend section one thousand one hundred three of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by authorizing the State Council of Education to fix qualifications of assistant county superintendents.

## House Bill No. 861, entitled:

An Act to amend the act approved the twentieth day of June one thousand nine hundred and forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employes and imposing penalties" by continuing the mercantile license and tax for the year one thousand nine hundred and fifty and succeeding years in school districts of the first class.

## House Bill No. 862, entitled:

An Act to amend the act approved the twentieth day of June one thousand nine hundred and forty-seven (P. L. 733) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes county treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by continuing the provisions of the act for 1950 and succeeding years and by imposing certain duties on school treasurers in certain school districts of the first class and relieving county treasurers of certain duties under this act.

## House Bill No. 886, entitled:

An Act to amend section five of the act, approved the twenty-first day of June, one thousand nine hundred thirty-seven (P. L. 1944), entitled as amended "An act providing for the erection, construction and equipment of a new Pennsylvania Industrial School, to take the place of the present Pennsylvania Industrial School at Huntingdon; designating the manner of acquiring or setting aside of land for the erection and construction of the new school by The General State Authority; authorizing the Commonwealth to lease the new school and its grounds from The General State Authority upon its completion; providing that the cost of maintaining inmates therein be borne by the Commonwealth and the counties to the extent and in the manner provided by law in the case of inmates maintained in the Pennsylvania Industrial School at Huntingdon; creating the Board of Trustees of the Pennsylvania Industrial School; defining its powers and duties, and conferring powers, and imposing duties upon certain State departments, boards, commissions, and officers," by further prescribing the length of term a person can be imprisoned in said institution.

## House Bill No. 925, entitled:

An Act to amend subsection (a) of section nine hundred thirty-eight of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by increasing the number of permits for special dog training areas throughout the Commonwealth.

## House Bill No. 932, entitled:

An Act to further amend section thirty-three of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "Local Tax Collection Law," by providing that salaries of tax collectors, their deputies, clerks and assistants in third class cities shall be considered as compensation for pension and retirement purposes, and requiring certain payments by the taxing districts.

## House Bill No. 1025, entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "Public School Code," by further providing for salaries for teachers of applied art and vocational subjects.

## House Bill No. 1069, entitled:

An Act to provide for the creation within the Department of Public Instruction of a Division of Radio and Audio-Visual Education; establishing within such Division a lending and exchange library of records, transcripts, scripts, films, slides, projectors and other necessary equipment and material; imposing certain duties upon the Superintendent and Department of Public Instruction; and making an appropriation.

## House Bill No. 1070, entitled:

An Act to amend the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 947), entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class," by correcting an error in the salary of the coroner.

## House Bill No. 1107, entitled:

An Act to amend section two hundred fifteen and to further amend section two hundred sixteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by changing the method of filling vacancies in the boards of school directors, in certain cases.

House Bill No. 1189, entitled:

An Act to amend section twelve of the act, approved the sixth day of April, one thousand nine hundred thirty-seven (P. L. 200), entitled "Pawnbrokers License Act," by further regulating certain permissible charges.

House Bill No. 1303, entitled:

An Act making an appropriation to the Lancaster Heart Association, to be used for carrying on its purposes of research study treatment prevention and care of rheumatic fever and diseases of the heart; to provide convalescent care and hospital treatment in such cases; and for renovation and equipment of real property.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

### HOUSE MESSAGE

#### RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL NO. 265

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 27, 1949

Resolved, (If the Senate concur), That House Bill No. 265, Printer's No. 138, entitled:

An Act to further amend clause (j) of section two thousand four hundred six of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by further regulating the distribution to the public of documents published by the Department of Property and Supplies.

be recalled from the Governor for the purpose of further amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

### COMMUNICATION

The CHAIR cleared his table and laid before the Senate the following communication, which was read by the Clerk:

April 27, 1949

Honorable M Harvey Taylor  
President Pro Tempore,  
Senate of Pennsylvania  
Harrisburg, Pennsylvania  
Dear Senator Taylor:

It is my wish to express my gratitude to each and every member of the Senate for making it possible for me to serve the ills of the members of the General Assembly.

I assure you my work has been extremely pleasant and I am grateful to all of you for your many kindnesses shown me.

Respectively,

ESTHER FEISER, R. N.

#### HOUSE BILL NO. 695 CALLED UP

Mr. WALKER. Mr. President, I call up for consideration at this time House Bill No. 695, on the Second Reading Calendar.

### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 695, entitled:

An Act to amend the act approved the twenty-sixth day of May one thousand nine hundred forty-seven (P. L. 318) entitled "An act relating to the public practice of certified public accountants providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public accountants and for the suspension and revocation or such certificates subject to appeal and for their reinstatement prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction providing for ownership of working papers defining unlawful acts and acts not unlawful providing penalties and repealing existing laws" by prescribing educational and experience qualifications necessary for right to take examination and regulating use of the word "certified" or any abbreviation thereof or its initial letter.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. T NEWELL WOOD offered the following amendments:

Amend Sec. 1, page 2, line 1, by inserting after the word "three" "and"; Amend Sec. 1, page 2, lines 1 and 2, by striking out the words "and clause (6) of section five"; Amend the Bill, page 5, by inserting, between lines 11 and 12, the following: "Section 2. Said act is hereby amended by adding after section four a new section to read as follows: Section 4.1. Certificates to Experienced Accountants—Anything in this act to the contrary notwithstanding in lieu of the education and examination requirements established by this act the board may accept in the case of applicants who have reached the age of forty years evidence of fifteen years' experience in the intensive application of accountancy principles and auditing procedures. Upon approval of any such application the board shall issue the applicant a license upon payment of the fee fixed by the department.

Section 3. Subsection (6) of section five of said act is hereby amended to read as follows."

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. T. NEWELL WOOD offered the following amendment:

Amend Sec. 2, page 5, line 17, by striking out the figure "2" and inserting in lieu thereof "4."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. T. NEWELL WOOD offered the following amendment:

Amend Title, page 2, next to last line of Title, by inserting after the word "examination" the following: "providing for the issuance of licenses as certified public accountants to experienced persons under certain circumstances."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

#### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. LORD, JR. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LORD, JR. Mr. President, it has been my extreme pleasure during this Session of the Senate to act as Chairman of the Committee on Executive Nominations. As Chairman of that Committee, it has also been my pleasure to present to the Senate many able and outstanding men for various positions of honor and trust in the Commonwealth of Pennsylvania.

Mr. President, today I have a distinct privilege in presenting a nominee of His Excellency, the Governor, for a position of honor and trust in the Commonwealth, and I just want to take a moment of my colleagues time to say that the committee report I am about to make today, with favorable recommendation, is on a man I have known for almost thirty years. He and I went to night school in order to pass a preliminary examination, Mr. President, to be entitled to register as law students and eventually become lawyers. We were successful jointly in passing the preliminary examination, and thereafter for four years at night we went to law school in the city of Philadelphia. We took the bar examination together and became lawyers together.

Since that period of time, or during the time we were going to night school studying law, we were both stenographers in law offices. Since that period of time we have been associated together in the practice of law in the same office, where the Honorable Francis Shunk Brown, Jr., former Attorney General of Pennsylvania, was our preceptor and guide.

Mr. President, little did I know, thirty years ago, that my colleague and friend, and he is a friend, would be nominated for this very high office, and that I would have the privilege of being the Chairman of the Committee on Executive Nominations in the Senate of Pennsylvania, and that I would have the distinct honor, Mr. President, to present his name as one of the nominees of His Excellency the Governor.

Mr. President, as I said, I presented many other able men, but this man I have known personally, and I am sure he is going to serve with distinction, with trust and with fidelity.

Therefore, Mr. President, it is again with a great deal of pleasure that I say to you that I have been directed by the Committee on Executive Nominations to report the name of Arthur P Bretherick, of Delaware County, for appointment as Judge of the Court of Common Pleas of the Thirty-second Judicial District, with favorable recommendation.

Mr. WATKINS. Mr. President, I would like to add a few remarks to the remarks made by the gentleman from Philadelphia, Senator Lord, concerning my good friend, Arthur P Bretherick. I want to say, Mr. President, that I have known Arthur Bretherick for over twenty years. I

think he is one of the most outstanding Americans that I have ever met. He has worked tirelessly for the Republican Party ever since the very inception of my entrance into Delaware County.

Mr. President, Arthur Bretherick is a man of great knowledge. He has served in this great Legislature for three terms. He has been Register of Wills in our county, and he has been our County Chairman for the last six years. It is, indeed, a great day for me to be able to stand here in my humble way, and say a few words in reference to Arthur Bretherick. He is loved by all of us in Delaware County.

I might add that, too, in selecting Arthur P. Bretherick to this great honor as Judge of the Common Pleas Court, he was nominated by the Supervisors of Delaware County unanimously. I understand there was not one single vote against him, and I understand that while there were three other names mentioned for judge in our county, every one withdrew and said that they would not be a candidate if Arthur Bretherick wanted the position.

I think, Mr. President, that this body here today has confirmed a great man. I know he will be a credit to the bench in Delaware County, and a credit to the State of Pennsylvania.

Mr. LORD, JR., from the Committee on Executive Nominations reported with a favorable recommendation the following nomination, made by His Excellency, the Governor of the Commonwealth:

#### JUDGE OF THE COURT OF COMMON PLEAS OF THE THIRTY-SECOND JUDICIAL DISTRICT

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg, April 27, 1949

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Arthur P. Bretherick, 12 Golf Road, Lansdowne, Delaware County, for appointment as Judge of the Court of Common Pleas of the Thirty-second Judicial District, composed of the County of Delaware, until the first Monday of January, 1950.

JAMES H. DUFF.

#### CONSIDERATION OF EXECUTIVE NOMINATION RULE 38 SUSPENDED

By unanimous consent,

A motion was made by Mr. LORD, JR. and Mr. WATKINS,

To grant unanimous consent to immediate consideration of the nomination just reported from the Committee on Executive Nominations, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nomination reported.

Which was agreed to.

Whereupon,

A motion was made by Mr. LORD, JR. and Mr. WATKINS,

That the Senate do advise and consent to the nomination reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## EXECUTIVE SESSION RISES

Mr. LORD, JR. Mr President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion. The motion was agreed to.

## HOUSE MESSAGE

## HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 688

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 27, 1949.

Resolved (If the House of Representatives concur) That Senate Bill No. 688, entitled:

An Act to further amend sections two hundred ten and five hundred eleven of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" establishing one procedure for changing altering or establishing the width lines locations or grades of State highways in townships and boroughs and incorporated towns.

be recalled from the Governor for the purpose of amendment.

## RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for fifteen minutes, in order to permit the gentleman from Cambria, Senator Haluska, to entertain the Members of the Senate and their guests.

Mr. WAGNER. Mr. President, I second the motion. The motion was agreed to,

## AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

## SECOND READING CALENDAR

## BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 399, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" authorizing the change of the fiscal year by districts of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 430, on second reading, entitled:

An Act to amend the title and sections two and four of the act approved the third day of June one thousand nine hundred forty-three (P. L. 847) entitled "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind for making advancements to blind persons for the purchase of stock equipment and accessories necessary to operate vending or refreshment stands in locations leased or arranged for by said council providing for the repayment of such advancements authorizing the State Council for the Blind to adopt rules and regulations and making an appropriation" authorizing the State Council to purchase own install maintain and lease equipment and accessories for other suitable business enterprises for the blind and making an additional appropriation.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 478, entitled:

An Act to further amend section one thousand four hundred one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 443), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth, and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," further defining the right of the Department of Revenue

to release liens for taxes, interests, penalties and other accounts due the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 536, entitled:

An Act to add section two thousand five hundred eleven point one of the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for annual payments for the Commonwealth to school districts erecting or sharing in the erection of a building or buildings or providing educational facilities under provisions of the State Public School Building Authority Act and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL RECOMMENDED

Mr. WALKER. Mr. President, I move that House Bill No. 548, on second reading, entitled:

An Act to amend the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 616) entitled "An act defining regulating and providing for the licensing and registration of employment agents and their representatives including private employment agents theatrical employment agencies and nurses' registries providing for revocation and suspension of licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction providing penalties and repealing existing laws" by changing the provisions thereof and rights obligations and procedure therein.

be recommended to the Committee on Rules.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

#### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 557, entitled:

An Act to prohibit the killing of red foxes by certain methods in Chester County and imposing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 628, entitled:

An Act to amend section four hundred seventeen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by excluding from the definition "roadside menagerie" any animal exhibition at a county fair or any such exhibition when sponsored by any sportsmen's organization with the approval of the Pennsylvania Game Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 665, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring the furnishing of free transportation or board and lodging in certain boroughs and reimbursement by the Commonwealth therefore and validating Commonwealth reimbursement heretofore made.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 755, entitled:

An Act to reenact and amend the act approved the eighth day of July one thousand nine hundred forty-seven (P. L. 1476) entitled "An act authorizing the Joint State Government Commission to study the educational facilities and needs of the citizens in certain educational fields the financing administration and other features of collegiate institutions prescribing the powers and duties and making an appropriation" by authorizing continuation of the study and reappropriating unexpended balance.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 809, entitled:

An Act to amend section one of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" by exempting from the provisions of said act explosives stored and used in connection with coal mines and coal mining operations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 814, entitled:

An Act fixing the fees and mileage of the coroner in counties of the sixth class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 926, entitled:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payments to beneficiaries and for the care and disposition of its funds and providing for the transfer and payments of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by regulating service for pensions and eligibility for pensions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 980, entitled:

An Act to amend sections two and thirteen of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 926), entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth; requiring their licensing; imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities; and providing penalties," by changing license fee provisions; providing for payment of fees and fines to the various municipalities; and empowering burgesses to try violators.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1047, entitled:

An Act providing for the enforcement of foreign judgments by the registration thereof in the courts of this Commonwealth prescribing procedure for the obtaining of jurisdiction over the judgment debtor the raising of defenses thereto appeals therefrom and execution thereon and saving existing methods of enforcing the same.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1052, entitled:

An Act merging and consolidating State housing with State planning merging the State Board of Housing with the State Planning Board establishing a State Planning Code and repealing certain acts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1053, entitled:

An Act to amend the title and further amend the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" by extending the act to all cities changing the scope of the field of operation of a county authority providing for the use of State grants or contributions towards payment of bonds and interest and as additional pledge therefor and transferring the administration of the act from the State Board of Housing to the State Planning Board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1054, entitled:

An Act to amend the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their

powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by substituting the State Planning Board for the State Board of Housing.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1055, entitled:

An Act providing and regulating State assistance including slum clearance and redevelopment and making an appropriation.

The first and second sections were read and agreed to. The third section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend Sec. 3, page 6, line 10, by striking out the word "street" and inserting in lieu thereof: "streets."

It was agreed to.

The section was agreed to as amended.

The fourth, fifth and sixth sections were read and agreed to.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend Sec. 7, page 10, by inserting between lines 12 and 13 the following: "The total amount of all grants made by the State Planning Board for slum clearance and redevelopment pursuant to section four (b) of this act shall not exceed thirty per cent of the amount appropriated by this act."

It was agreed to.

The section was agreed to as amended.

The eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth seventeenth and eighteenth sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WALKER offered the following amendment:

Amend Title, page 1, line 1 of Title, by inserting after the word "assistance" the following: "for housing."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

#### BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1056, entitled:

An Act to amend the title and sections three fourteen and twenty-one of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 704) entitled "An act to promote the public health safety morals and welfare by providing for the creation of corporations to be known as limited dividend housing companies for the purpose of eliminating unsanitary and dangerous housing conditions and constructing and operating safe and sanitary dwellings and apartments to be let at reasonable rentals or sold providing for the acquisition of property by the exercise of the power of eminent domain through the State Board of Housing providing for the supervisions and regulation of the activities of such companies by the State Board of Housing in the Department of Health and regulating the supervision by the State board of any such companies aided by the Federal Government or agencies thereof defining the rights powers and duties of such companies and of persons investing in or dealing with such companies authorizing such companies to lease and operate or to manage projects of any housing authority and borrow money from agencies of the United States Government exempting all such companies from the payment of any capital stock tax making certain securities of such corporations legal investments for funds in the hands of municipal officers insurance companies and associations savings banks and savings institutions authorizing certain existing companies to accept the provisions of this act and repealing inconsistent acts" by transferring supervision and regulation of such companies to the State Planning Board

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1057, entitled:

An Act to amend sections three and four of the act approved the twenty-sixth day of May one thousand nine hundred thirty-seven (P. L. 888) entitled "An act to authorize cities boroughs towns townships counties and other public bodies to aid housing projects of housing authorities or of the United States of America by furnishing parks playgrounds streets and other improvements and facilities by exercising certain other powers and by making agreements relating to such aid to authorize cities boroughs towns townships and counties to contract with respect to the sums to be paid them for improvements services and facilities to be provided for the benefit of housing projects and the occupants thereof to authorize certain cities and counties to make an appropriation for the first years' administrative expenses of housing authorities and to authorize certain cities boroughs towns and counties to pay moneys to housing authorities" by removing and ambiguity as to the powers of a State public body with respect to long term agreements and changing definition of term "Housing Project"

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,



The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1058, entitled:

An Act to amend sections four and six of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 982) entitled "An act to authorize State public bodies as defined to aid redevelopment authorities in the elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency parks playgrounds streets and other improvements and facilities and by donating or lending money and making appropriations therefor by accepting payments and exercising certain other powers and duties" by removing any ambiguity as to the powers of a State public body with respect to long term agreements and permitting State public bodies to issue bonds to provide funds for local contributions required by Federal law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1059, entitled:

An Act to further amend section four hundred fifty-one and to amend section two thousand five hundred two B of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administration 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" by reconstituting the State Planning Board and changing its functions

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1062, entitled:

An Act to further amend section two thousand seven hundred eighteen of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs," by authorizing boroughs to make appropriations from the general borough funds for recreation purposes

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1109, entitled:

An Act to further amend subsection (d) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primaries and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by increasing the compensation of judges of elections

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1136, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-nine.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1137, entitled:

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1173, entitled:

An Act to amend sections six and twelve of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employe retire-

ment system in counties of the fourth class imposing certain charges on counties and fixing penalties" authorizing the transfer from the one one-hundred-twentieth (1/120) to the one one-hundredth (1/100) class of members contributions at the option of the retirement board and adjusting the county annuity that on superannuation retirement upon such transfers

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1174, entitled:

An Act to amend section five and to further amend section eleven of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled "An Act providing for the creation maintenance and operation of a county employes retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties" authorizing the transfer from the one one-hundred-twentieth (1/120) to the one one-hundredth (1/100) class of members contributions at the option of the retirement board and adjusting the county annuity on superannuation retirement upon such transfers

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1216, entitled:

An Act abating certain tax penalties and interest on unpaid county city borough town township school district poor district and county institution district taxes of certain political subdivisions prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1222, entitled:

An Act to further amend section ten of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' Retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by granting per diem and other legislative employes now State employes credit for such legislative service

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1317, entitled:

A supplement to the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 575) entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River and the improvement of the facilities for transportation across the river authorizing the Governor for these purposes to enter into an agreement with New Jersey creating The Delaware River Joint Commission and specifying the powers and duties thereof including the power to finance projects by the issuance of revenue bonds transferring to the new commission all the powers of the Delaware River Bridge Joint Commission and making an appropriation" authorizing the Governor on behalf of the Commonwealth of Pennsylvania to enter into a supplemental compact or agreement with the State of New Jersey changing the name of The Delaware River Joint Commission to The Delaware River Port Authority and the method of appointment of commissioners extending the jurisdiction powers and duties of The Delaware River Port Authority and defining such additional jurisdiction powers and duties conferring power of veto upon the Governor to take effect upon the enactment of substantially similar legislation by the State of New Jersey embodying the supplemental agreement between the two States in this act set forth and authorizing the Governor to apply on behalf of the Commonwealth to the Congress of the United States for its consent thereto

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Section 1, page 17, line 3, by striking out the bracket after the word "the" and before the word "Legislatures"; amend Section 1, page 17, line 3, by striking out the bracket after the word "Legislatures" and before the word "Governor"; amend Section 1, page 17, line 3, by striking out after the bracket following the word "Legislatures" and before the word "of" the following: "Governor"; amend Section 1, page 17, line 5, by striking out the bracket at the beginning of the line before the word "Legislatures"; amend Section 1, page 17, line 5, by striking out the bracket after the word "Legislatures" and before the word "Governors"; amend Section 1, page 17, line 5, by striking out after the bracket following the word "Legislatures" and before the word "authority" the following: "Governors"; amend Section 1, page 17, line 9, by striking out the bracket at the beginning of the line before the word "Legislatures"; amend Section 1, page 17, line 9, by striking out the bracket after the word "Legislatures" and before the word "Governors"; amend Section 1, page 17, line 9, by striking out after the bracket following the word "Legislatures" and before the word "of" the following: "Governors"; amend Section 1, page 17, line 11, by striking out at the end of the line after the word "thereon" the following: "The Governor of each State shall within sixty (60)"; amend Section 1, page 17, by striking

out lines 12 to 15 inclusive; amend Section 1, page 18, line 11, by striking out at the end of the line after the word "include" the following: "marine motor truck railroad air and"; amend Section 1, page 18, by striking out line 12; amend Section 1, page 18, line 13, by striking out at the beginning of the line before the word "all" the following "and"; amend Section 1, page 18, line 14, by inserting at the end of the line after the word "freight" the following: "by water or air"; amend Section 1, page 18, line 15, by striking out at the end of the line after the quotation mark following the word "include" the following: "railroads operated by steam"; amend Section 1, page 18, by striking out line 16; amend Section 1, page 18, line 17, by striking out at the beginning of the line before the word "tunnels" the following: "other street or highway vehicles"; amend Section 1, page 18, line 17, by striking out at the end of the line after the word "boats" the following: "ferries"; amend Section 1, page 18, line 19, by striking out at the end of the line after the word "kind" the following: "aircraft and every kind of transportation facility now in"; amend Section 1, page 19, by striking out lines 1 and 2; amend Section 1, page 19, line 5, by striking out at the end of the line after the word "stations" the following: "grain"; amend Section 1, page 19, line 6, by striking out at the beginning of the line before the word "tracks" the following: "or other storage elevators warehouses cold storage"; amend Section 1, page 19, line 7, by striking out after the word "coal" and before the word "and" the following: "oil"; amend Section 1, page 19, line 8, by striking out at the end of the line after the word "stations" the following: "markets and every kind of terminal storage or supply"; amend Section 1, page 19, line 9, by striking out at the beginning of the line before the word "to" the following: "facility now in use or hereafter designed for use"; amend Section 1, page 19, line 10, by striking out after the word "handling" and before the word "loading" the following: "storage"; amend Section 1, page 19, by striking out lines 12 to 16 inclusive.

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WALKER offered the following amendments:

Amend page 2, line 10 of the title, by striking out after the word "of" and before the word "upon" the following: "veto" and inserting in lieu thereof the following: "approval"; amend page 2, line 10 of the title, by striking out at the end of the line after the word "the" the following: "Governor" and inserting in lieu thereof the following: "Legislature."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

#### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1329, entitled:

A9n Act making an appropriation to the Department of Property and Supplies for the purpose of acquiring by gift or purchase on behalf of the Commonwealth the Codorus Forge and Furnace in Hellam Township York County

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1330, entitled:

An Act to amend section one of the act approved the twenty-fourth day of March one thousand nine hundred forty-nine and designated as Act No. 24 (P. L. ) entitled "An act to reenact and further amend the title and the act approved the fourteenth day of May one thousand nine hundred forty-seven (P. L. 249) entitled as amended 'An act to provide revenue by imposing an excise tax payable by those herein defined as manufacturers and bottlers of bottled soft drinks and syrups as herein defined prepared used sold transported or delivered within the Commonwealth and by others requiring persons as herein defined engaged in the manufacture bottling distribution sale and transportation of syrup and bottled soft drinks to secure permits prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing bottling distributing selling and transporting syrup or bottled soft drinks and providing penalties' by further regulating the procedure and the jurisdiction of the Department of Revenue and of the Board of Finance and Revenue relative to claims for refunds and by extending the provisions thereof for a further limited period of time" by inserting the words carbonated waters in and further clarifying the definition of syrups and bottled soft drinks and by extending the period of time during which the department may advance tax crowns or stamps in certain cases

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. TARR. Mr. President, I know the hour is late, but I want to take a moment here to make an observation before House Bill No. 1330 passes second reading.

Mr. President, in looking over this bill on my desk, I find that this is an act to amend Section 1 of the Act of 1949, and then upon reading over the bill, I find that there are thirty-two pages which contain only five words.

Now, Mr. President, I recognize the fact that in order to amend a section, that act must be on the books, but so that we might save the time tomorrow, it is my firm opinion that the act known as the "Pop Tax Act," passed by this Legislature early in the Session, has been found to be defective, and by voting for this bill, the majority of us, if we are going to tax soft drinks, would like to see fizz water in the bill. However, this bill is so drawn that in voting for the amendments to this bill, I think we are going to vote for the pop tax in toto.

Mr. President, I have been wrong on other occasions—the Majority Floor Leader shakes his head—but I cannot for the life of me see why we have a thirty-two page

bill reenacting many sections which are not to be changed at all by House Bill No. 1330.

Mr. President, I am merely talking about it today, because I want to call it to the attention of the Membership so that they might give some study to the bill before it comes up for final passage tomorrow.

Mr. WALKER. Mr. President, may I refer the gentleman from Fayette, Senator Tarr, to a very distinguished Member of the Philadelphia Bar, Senator Rosenfeld, who, although he may have been fooled by the gentleman from Cambria, Senator Haluska, is never fooled by the law.

I am sure that Senator Rosenfeld will explain to the gentleman from Fayette that lawyers move in mysterious ways, and I am sure the gentleman from Philadelphia will explain to the gentleman from Fayette that notwithstanding the fact that this bill contains thirty-two pages, I am sure he does not need to worry about reenacting the pop tax, and he can vote for this with a clear conscience, knowing that he will be joined by a large group of his colleagues.

Mr. TARR. Mr. President, I thank the gentleman from Allegheny, Senator Walker. I might vote for it, but not with a clear conscience.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

#### BILL DROPPED FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I move that House Bill No. 365, on second reading, postponed, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful for any person to hunt with any shotgun or rifle when such firearm is loaded with live ammunition in either the chamber or magazine if the firearm is ready to be discharged by normal finger pressure on the trigger or if the safety device or mechanism is in the "off safe" position except during the momentary interval of time necessary to discharge such firearm and providing penalties

be dropped from the Calendar.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WALKER. Mr. President, as the Floor Leader for the Majority Party, in making the motion to drop this bill from the Postponed Calendar, I want to say that I do so with by very deepest and sincere respect to a fine Pennsylvanian, John M. Phillips of Allegheny County, who has attempted for years to get this particular bill through the General Assembly.

Mr. President, I have had the privilege of sponsoring this identical measure at several other Sessions, but it is a little difficult to get the sportsmen's organizations convinced that this is good legislation. Nothing creates a greater difference of opinion than legislation of this type. Some men sincerely believe that this is not good legislation, while others think it is a very fine safety measure.

Mr. President, I want to say to John Phillips that we will try again in 1951.

Mr. ROSENFELD. Mr. President, whenever in the

course of our legislative work I note on the Calendar an amendment to the Fish Code or the Game Code, I get a queer feeling in my throat that takes me back some ten years ago when I was first sent out to help the Legislative Reference Bureau.

Believe it or not, on my first day there, a very excitable, newly elected Member of the House of Representatives, a sportsman, was assigned to see me about preparing a host of amendments to the Fish Code and the Game Code. He came in and sat down with me at one o'clock, and he talked to me about changes until five-thirty that afternoon. I made many, many notes, and by five-thirty the gentleman was calling me by my first name, and when we were through he turned to me, looked at me and said, "Max, have you ever gone hunting?" and I said, "No." He said, "Have you ever gone fishing?" and I said, "No." He said, "How do you know what I have been talking about all afternoon?" and so I said to him, "Who knows what you have been talking about all afternoon?"

Mr. WALKER. Mr. President, I want to say to the gentleman from Philadelphia that if you get the sportsmen together, they will argue about every issue involved in hunting or fishing.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

#### COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from his Excellency, the Governor of the Commonwealth, which was read as follows:

#### APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 688, PRINTER'S No. 349

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, April 27, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 688, Printer's No. 349, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

The PRESIDENT. The bill will be laid on the table.

#### SENATE BILL No. 688 RECALLED FROM THE GOVERNOR, TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table for consideration at this time, Senate Bill No. 688, recalled from the Governor for the purpose of amendments.

#### RECONSIDERATION OF SENATE BILL No. 688

Mr. WALKER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 688, entitled:

An Act to further amend sections two hundred ten and five hundred eleven of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by

the Department of Highways relating thereto" establishing one procedure for changing altering or establishing the width line locations or grades of State highways in townships and boroughs and incorporated towns.

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority?

Mr. HARE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HARE. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WALKER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. HARE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HARE. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WALKER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 2 (Section 511), Page 5, Line 7, by striking out the word "location;" Amend Section 2 (Section 511), Page 5, by inserting a bracket before Line 12 and by inserting a bracket after Line 19.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 688, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### HOUSE BILL NO. 872 CALLED UP

Mr. WALKER. Mr. President, I call up for consideration at this time House Bill No. 872, which was passed over in its order temporarily.

### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 872, entitled:

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupation for county borough town township school and poor

purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by providing for annual assessments abolishing triennial assessments providing for fixing of salaries of subordinate assessors limiting notices of assessments to persons the value of whose property or personal assessment has been changed or has not previously been separately made and making assessments applicable to taxation for institution district purposes and imposing duties on persons acquiring title to realty contractors and building inspectors.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. STEVENSON. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 2, last three lines of Title, by striking out all of said lines, and inserting in lieu thereof the following: "providing for the preparation of duplicates"; Amend Sec. 1 (Sec. 7), page 5, line 15, by striking out the word "fifteenth" and inserting in lieu thereof: "first"; Amend Sec. 1 (Sec. 7), page 5, line 16, by striking out the word "September" and inserting in lieu thereof: "November"; Amend Sec. 1 (Sec. 7), page 6, line 9, by striking out the word "October" and inserting in lieu thereof: "December"; Amend Sec. 2 (Sec. 8), page 7, line 9, by striking out the word "November" and inserting in lieu thereof: "January"; Amend Sec. 2 (Sec. 8), page 7, line 15, by striking out the word "November" and inserting in lieu thereof: "January"; Amend Sec. 2 (Sec. 8), page 7, line 18, by striking out the word "October" and inserting in lieu thereof "December"; Amend Sec. 2 (Sec. 8), page 8, lines 8 and 9, by striking out the word "November" and inserting in lieu thereof: "January"; Amend Sec. 2 (Sec. 8), page 8, lines 15 and 16, by striking out the word "November" and inserting in lieu thereof: "January"; Amend Sec. 2 (Sec. 8), page 9, line 1, by striking out the word "November" and inserting in lieu thereof: "January"; Amend Sec. 2 (Sec. 8), page 9, line 5, by striking out the word "January" and inserting in lieu thereof: "March"; Amend Sec. 2 (Sec. 8), page 9, line 14, by inserting after the word "orders" the following:

"When such corrections have been made, the chief assessor shall prepare three copies of the assessment roll and deliver them on or before the seventh day of May with his certificate that they are a true copy of the original assessment roll to the following:

(1) One copy to the chief clerk of the county commissioners;

(2) One copy of such portion of the roll as contains the assessment of persons or property within each school district to the secretary of the board of school directors of the respective school district; and

(3) One copy of such portion of the roll as contains the assessment of persons or property within each city accepting the provisions of this act, borough, town or township to the respective city clerk, borough secretary, town clerk or secretary or township secretary. All copies of such roll so furnished shall for all purposes be con-

sidered as originals. The said copies in addition to the information required to be shown on the original assessment roll shall provide space to the right of each assessment for the entry of all taxes which may be levied thereon by the respective political subdivisions. The original assessment roll as corrected after appeals shall be preserved in the office of the chief assessor or of the board and shall be open to public inspection subject to such regulations as the board may prescribe for the preservation and safekeeping of such roll.

(f) On or before the first day of April the chief assessor shall certify to the clerk or secretary of each political subdivision coming within the scope of this act within the county, the value of real property, the value of occupations, and the number of persons subject to personal taxes appearing in the assessment roll and taxable by the respective political subdivisions"; Amend Sec. 5, page 11, lines 1 and 2, by striking out both of said lines; Amend Sec. 5 (Sec. 19.1), page 11, lines 3 to 19, both inclusive, by striking out all of said lines; Amend Sec. 5 (Sec. 19.1), page 12, lines 1 and 2, by striking out both of said lines; Amend Sec. 5 (Sec. 19.2), page 12, lines 3 to 19, both inclusive, by striking out all of said lines; Amend Sec. 5 (Sec. 19.2), page 13, lines 1 to 11, both inclusive, by striking out all of said lines; Amend Sec. 5, page 13, line 13, by inserting after the word "the" "fiscal"; Amend Sec. 5, page 13, line 14, by inserting after the word subsequent "fiscal"; Amend Sec. 5, page 13, line 15, by striking out the word "years prior to" and inserting in lieu thereof: "fiscal years or period prior to the fiscal year"; Amend Sec. 7, page 14, lines 11 and 12, by striking out both of said lines.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILL OVER IN ORDER

Mr. STEVENSON. Mr. President, I ask unanimous consent that House Bill No. 872, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

#### Senate Bill No. 389, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (Act No. 14) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by regulating the authority of school districts to purchase supplies and to perform and contract for construction reconstruction repairs and work of any nature

#### Senate Bill No. 494, entitled:

An Act to add section one thousand three hundred

seventy-three point one to the act, approved the tenth day of March, one thousand nine hundred forty-nine (Act No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for Commonwealth reimbursement for certain costs incurred by school districts in connection with the education of handicapped children.

#### Senate Bill No. 761, entitled:

An Act providing for the payment into the State Treasury through the Department of Revenue without escheat of certain unclaimed funds held under policies of life or endowment insurance or annuity contracts and owing to persons whose last known address was in this Commonwealth by life insurance companies doing business in this Commonwealth requiring reports of such funds by such life insurance companies requiring notices and publication by the Department of Revenue of certain information pertaining to such unclaimed funds conferring powers and imposing duties on certain State officers boards and departments indemnifying and agreeing to hold harmless life insurance companies upon payment of such funds to the Department of Revenue providing for refunds of such funds requiring the Department of Revenue to keep certain records exempting certain unclaimed funds making certain other statutes inapplicable and prescribing penalties.

#### Senate Bill No. 762, entitled:

An Act to further amend the act approved the seventh day of June 1915 (P. L. 878) entitled "Providing for the escheat of deposits of money or property of another received for storage or safe-keeping the dividends profits debts and interest on debts of corporations companies banks trust companies insurance companies limited partnerships and partnership associations organized under the laws of this Commonwealth except mutual saving-fund society not having a capital stock represented by shares and except also building and loan associations and property held for the benefit of another by the same and the profits accretions and interest on such property as well as interest thereon accrued or which should have accrued between the fixing of the amount of such property by the award of any court and the actual distribution thereof" as amended by exempting unclaimed funds and proceeds due and payable under life and endowment insurance policies and held and owing by life insurance companies doing business in this Commonwealth.

#### Senate Bill No. 881, entitled:

An Act to facilitate vehicular traffic in the Western section of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near the City of Erie in Erie County, to connect with the Pennsylvania Turnpike or the Western extension thereof, at such point as the Pennsylvania Turnpike Commission may decide is the most feasible and practicable for the further extension of the Pennsylvania Turnpike system and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds exempt from taxation, constituting such bonds legal investments in certain instances; requiring suits against the Commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes and relocations and restoration of public roads and State highways affected by the turnpike;

providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds.

Senate Bill No. 901, entitled:

An Act accepting the grants, requirements, and benefits of an act of the eighty-first Congress of the United States, approved....., one thousand nine hundred forty-nine, known as the Educational Finance Act of 1949, bearing public act No....., entitled "To authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools, and in reducing the inequalities of educational opportunities through public elementary and secondary schools, for the general welfare, and for other purposes."

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

RULE 21 SUSPENDED FOR REMAINDER OF SESSION

Mr. WALKER. Mr. President, I move that Rules 21, which requires amended bills to be noted on the Calendar, be suspended for the remainder of the Session.

Mr. HARE. Mr. President, I second the motion. The motion was agreed to.

SENATE BILL No. 660 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table for consideration at this time, Senate Bill No. 660 which was returned from the House of Representatives with amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 660, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of, and the purchase of apparatus and equipment for, the Western State Psychiatric Institute and Clinic, and for the conduct of teaching and research on the cause, treatment, prevention and cure of the various types of nervous disorders and mental diseases; and authorizing the use of income derived from the operation of the Western State Psychiatric Institute and Clinic.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, lines 1 and 2, by striking out after the word "of" in line 1, and before the word "or" in line 2, the following "two million seven hundred thousand dollars (\$2,700,000)" and inserting in lieu thereof, the following "two million dollars (\$2,000,000)".

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 660

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 660.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

- Barr, Haluska, Meade, Tarr, Barrett, Neff, Taylor, Berger, Pechan, Toole, Blass, Holland, Peelor, Wade, Chapman, Homsher, Robinson, Wagner, Crowe, Kephart, Rosenfeld, Walker, Dent, Lane, Ruth, Watkins, Diehm, Leader, Scarlett, Watson, DiSilvestro, Letzler, Snowden, Wolfe, Doebla, Lord, Stevenson, Wood, L. H., Donlan, Mahany, Stiefel, Wood, T. N., Farrell, Mallery, Tallman, Yosko, Frazier, McPherson, Jr.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 508 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table for consideration at this time, Senate Bill No. 508 which was returned from the House of Representatives with amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 508, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated, Fox Chase, Philadelphia, Pennsylvania.

which was returned from the House of Representatives with amendment.

The Clerk read the amendment as follows:

Amend Section 1, page 2, line 1, by inserting after the word "mainaenance" and before the word "of", the following: "and purchase of operating equipment."

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 508

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 508.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

- Barr, Haluska, Meade, Tarr, Barrett, Neff, Taylor, Berger, Pechan, Toole, Blass, Holland, Peelor, Wade, Chapman, Homsher, Robinson, Wagner, Crowe, Kephart, Rosenfeld, Walker, Dent, Lane, Ruth, Watkins, Diehm, Leader, Scarlett, Watson, DiSilvestro, Letzler, Snowden, Wolfe

Doehla, Donlan, Farrell, Frazier,	Lord, Mahany, Mallery, McPherson, Jr.,	Stevenson, Stiefel, Tallman,	Wood, L. H., Wood, T. N., Yosko,
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NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 504 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table for consideration at this time, Senate Bill No. 504 which was returned from the House of Representatives with amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 504, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers, sailors, marines, female field clerks, yeomen (female) and nurses.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 2 of the title, by inserting after the word "certain" and before the word "soldiers," the following: "disabled veterans"; Amend Section 1, page 2, line 3, by inserting after the word "of" and before the word "soldier", the following: "totally disabled veterans and of".

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 504

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 504.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr, Barrett, Berger, Blass, Chapman, Crowe, Dent, Diehm, DiSilvestro, Doehla, Donlan, Farrell, Frazier,	Geltz, Haluska, Hare, Holland, Homsher, Kephart, Lane, Leader, Letzler, Lord, Mahany, Mallery, McPherson, Jr.,	Meade, Neff, Pechan, Peelor, Robinson, Rosenfeld, Ruth, Scarlett, Snowden, Stevenson, Stiefel, Tallman,	Tarr, Taylor, Toole, Wade, Wagner, Walker, Watkins, Watson, Wolfe, Wood, L. H., Wood, T. N., Yosko,
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NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 501 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table for consideration at this time, Senate Bill No. 501 which was returned from the House of Representatives with amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 501, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

which was returned from the House of Representatives with amendments.

The Clerk read the amendment as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the following: "three hundred thousand dollars (\$300,000)" and inserting in lieu thereof, the following: "six hundred thousand dollars (\$600,000)."

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 501

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 501.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr, Barrett, Berger, Blass, Chapman, Crowe, Dent, Diehm, DiSilvestro, Doehla, Donlan, Farrell, Frazier,	Geltz, Haluska, Hare, Holland, Homsher, Kephart, Lane, Leader, Letzler, Lord, Mahany, Mallery, McPherson, Jr.,	Meade, Neff, Pechan, Peelor, Robinson, Rosenfeld, Ruth, Scarlett, Snowden, Stevenson, Stiefel, Tallman,	Tarr, Taylor, Toole, Wade, Wagner, Walker, Watkins, Watson, Wolfe, Wood, L. H., Wood, T. N., Yosko,
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NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 465 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table for consideration at this time, Senate Bill No. 465 which was returned from the House of Representatives with amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 465, entitled:



An Act making an appropriation to the Department of Public Instruction for the purpose of revising the curricula of elementary secondary and vocational schools.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 1, by inserting after the word "Instruction" and before the word "for," the following: "including proceeds of publications sold"; Amend the bill, page 2, by inserting after line 5, the following: "Section 2 All moneys collected from the sale of any publications issued pursuant to said act shall be paid into the general fund and credited to the foregoing appropriation and are hereby appropriated for the same purposes in addition to the amount hereinbefore appropriated."

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 465

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 465.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

- Barr, Haluska, Meade, Tarr, Barrett, Neff, Taylor, Berger, Hare, Pechan, Toole, Blass, Holland, Peelor, Wade, Chapman, Homsher, Robinson, Wagner, Crowe, Kephart, Rosenfeld, Walker, Dent, Lane, Ruth, Watkins, Diehm, Leader, Scarlett, Watson, DiSilvestro, Letzler, Snowden, Wolfe, Doehla, Lord, Stevenson, Wood, L. H., Donlan, Mahany, Stiefel, Wood, T. N., Farrell, Mallery, Tallman, Yosko, Frazier, McPherson, Jr.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 330 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table for consideration at this time, Senate Bill No. 330 which was returned from the House of Representatives with amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 330, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians including children and elderly people as well as family groups, industrial workers and others.

which was returned from the House of Representatives with amendments.

The Clerk read the amendment as follows:

Amend Section 1, page 1, line 2, by striking out all of line 2 and inserting in line 2 and inserting in lieu thereof, the following: "one hundred fifty thousand dollars (\$150,000)."

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENT MADE BY THE HOUSE TO SENATE BILL No. 330

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 330.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

- Barr, Haluska, Meade, Tarr, Barrett, Neff, Taylor, Berger, Hare, Pechan, Toole, Blass, Holland, Peelor, Wade, Chapman, Homsher, Robinson, Wagner, Crowe, Kephart, Rosenfeld, Walker, Dent, Lane, Ruth, Watkins, Diehm, Leader, Scarlett, Watson, DiSilvestro, Letzler, Snowden, Wolfe, Doehla, Lord, Stevenson, Wood, L. H., Donlan, Mahany, Stiefel, Wood, T. N., Farrell, Mallery, Tallman, Yosko, Frazier, McPherson, Jr.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 247 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table for consideration at this time, Senate Bill No. 247 which was returned from the House of Representatives with amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 247, entitled:

An Act to amend section one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-nine (P. L. 1798), entitled "An act providing a fixed charge, payable by the Commonwealth, on lands acquired by the State and the Federal Government for forest reserves, or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania, and preserving and maintaining the same as public places and parks; and the distribution of the same for county, school, township, and road purposes in the counties, school districts, and townships where such forests are located; and making an appropriation," by increasing the amounts which the counties will receive from the State for forest reserves.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 3 of the title, by inserting after the word "counties" and before the word "will," the following: "school districts and townships"; Amend Section 1, page 3, line 7, by striking out after the left-faced bracket and before the word "cents," the following: "four" and inserting in lieu thereof, the following: "two and one-half"; Amend Section 1, page 3, line 8, by inserting after the word "two" and before the word "cents," the following: "and one-half"; Amend Section 1, page 3, line 10, by inserting after the word "two" and before the word "cents," the following: "and one-half."

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 247

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 247.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wada,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 229 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table for consideration at this time, Senate Bill No. 229 which was returned from the House of Representatives with amendments.

BILL ON CONCURRENCE IN HOUSE AMENDMENT

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 229, entitled:

An Act making an appropriation to the Department of Welfare to reimburse state-aided hospitals for part of the cost of training student nurses in approved schools of nursing.

which was returned from the House of Representatives with amendment.

The Clerk read the amendment as follows:

Amend the bill, page 2, by inserting after line 5, the following: "Section 2 The provisions of this act shall be

administered under regulations to be established by the Department of Welfare and the Auditor General."

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENT MADE BY THE HOUSE TO SENATE BILL No. 229

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendment made by the House to Senate Bill No. 229.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Geltz,	Meade,	Tarr,
Barrett,	Haluska,	Neff,	Taylor,
Berger,	Hare,	Pechan,	Toole,
Blass,	Holland,	Peelor,	Wade,
Chapman,	Homsher,	Robinson,	Wagner,
Crowe,	Kephart,	Rosenfeld,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Diehm,	Leader,	Scarlett,	Watson,
DiSilvestro,	Letzler,	Snowden,	Wolfe,
Doehla,	Lord,	Stevenson,	Wood, L. H.,
Donlan,	Mahany,	Stiefel,	Wood, T. N.,
Farrell,	Mallery,	Tallman,	Yosko,
Frazier,	McPherson, Jr.,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, and Members of the Senate, before offering this resolution, I have a few brief remarks to make, and I will try to make them as quickly as possible, because I know how anxious we all are to get out of here.

Mr. President and Members of the Senate, some few weeks ago, I told the members of the Senate about the recent purchases of the Pennsylvania Liquor Control Board, wherein the distillers changed their back label taking the older whiskies out of their blends and selling them to the Liquor Control Board at no reduced price. I, at that time, said that I have the minutes of the Liquor Control Board meeting and I still have them in my desk if any Member of the Senate cares to look at them for the sake of verification.

Today, I am going to give you, in detail, some more of the irregularities practiced by the Pennsylvania Liquor Control Board.

Mr. President and Members of the Senate, one of the most common unlawful practices used by the Board and a wilful violation of the Pennsylvania Liquor Control Act is the one called "Floor Stock Adjustment".

Prior to 1937, the Board could use its own judgment as to mark-ups, even within class of liquors and could thus discriminate against products exactly similar. However, in 1937, the Legislature amended Section 201(b) of the Liquor Control Act, which section up to that time had

contained no limit on the authority of the Board to fix wholesale and retail prices of liquors, by providing:

\* \* \* \* \*

"That in fixing sale prices the board shall not give any preference or make any discrimination as to classes, brands, or otherwise, except where special sales are deemed necessary to move un-saleable merchandise."

The Board's floor stock adjustment procedure operates as follows. After the Board has purchased liquors from the vendor at a contracted price, the retail price of such liquors is fixed by a uniform percentage mark-up applicable to the type of product.

It frequently happens that after a vendor having sold his product to the Board desires, for various reasons, to have the public be able to purchase the product at a lower price. He then advises the Board of the new cost on any subsequent orders and also the date for which he desires the new retail price to be effective. It is then proper for the Board to demand and collect from the vendor, a "floor stock adjustment" or reimbursement of the difference between the old and the new cost for all inventories on hand on the effective date of the lowered retail price.

It is in the application of this procedure that the Board very often violates the Liquor Control Act, Section 201(b) To illustrate the preference, discrimination and inconsistency practiced by the Board, in cases involving "floor stock adjustments", I cite the following examples:

(1) Some cases are properly handled and the full amount of the adjustment paid immediately, or deducted from monies due the Vendor from the Board.

(2) Other preferred cases are exempt, no reimbursement collected, the Board allowed the reduction out of the markup, or taking a direct loss.

(3) In other cases, Vendors are only charged a portion of the adjustment.

(4) In other cases, Vendors are given an extended credit plan and adjustments deducted on a case basis, on future orders.

The above illustrations are a violation of Section 201(b) because they clearly indicate

that in fixing sale prices, the Board did give preference, or make discrimination as to classes, brands, or otherwise.

Another regularity and one which also reflects preference and discrimination is the Board's policy regarding sales promotion and interior store advertising.

The Liquor Control Board gives products of some companies free advertising and promotional advantage in the interior of state stores. This is "discriminatory" and unfair to competitors who are compelled to promote the sale of their products through normal advertising channels of newspapers, bill boards, magazines, radio and the employment of sales personnel.

Some years ago, in a previous Administration, it was proposed and approved, that advertising, window displays, and etc., be discontinued on state store premises. This "no advertising and display order" has continued on to the present time. However, the Board has resorted to indoor displays on what they term "close out items".

A "close out item", is one in which the inventory is being sold and on which no re-orders of this identical product are to be made. In many cases, the price are reduced

and in order to call the public's attention to the supposed "bargain", signs, placards, displays are placed in the interior of the store and prominent shelving display is given to the items. The intention of this plan is to assist in the promotion of slow moving and inactive un-saleable items. This method would seem to be in order were it not abused as follows.

The Board gives some companies the benefit of this free advertising in this manner. The favored company takes a standard brand item and after having considerable inventory on hand, changes the formula slightly, then notifies the Board that on subsequent purchases, the merchandise will be supplied in accordance with the new formula which entails minor changes in the price or the various ages or percentages of the whiskies and spirits.

The Board approves the company's request to "close out", the merchandise with the old formula and proceeds to offer the product on "close out sale", giving the company the benefit of the above free "interior promotional and store advertising method". The benefit to the vendor is twofold. He not only receives free store advertising but after the brand has enjoyed increased sales because of the store promotion, a reorder is placed on the brand under the new formula based on the sales record made during the advertised period.

It is important to remember that through all this juggling the "brand name" remains the same and does not change. The minor formula changes are made simply to comply with the boards theory that the identical product on "close out" will not be reordered. Therefore, the Pennsylvania Liquor Control administration is not only violating the legislative intent of the Liquor Control Law but is being used as a medium to promote the products of certain vendors and to hoax the public into believing they are getting bargains.

Now, Mr. President and Members of the Senate, in Michigan Liquor Control Law is very similar to ours. The abuses which I have cited in previous speeches in this Senate were pretty much the same in the State of Michigan. The Legislature there, at this Session of the Legislature, passed a resolution, which I am going to offer to the Senate, I am not going to ask for immediate consideration of this resolution because I think it should go before the Liquor Control Committee tomorrow, but I would ask that they do give it consideration and study.

Mr. President, if they will report it out and pass it tomorrow, these abuses will not exist anymore in the Pennsylvania Liquor Control Board.

#### RESOLUTION

DIRECTING THE PENNSYLVANIA LIQUOR CONTROL BOARD TO PREPARE A COMPLETE COMPILATION OF ALL RULES AND REGULATIONS ETC., TO CONFORM WITH THE PROVISIONS OF THE PENNSYLVANIA LIQUOR LAWS

Mr. BARR. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR, offered the following resolution which was twice read, and referred to the Committee on Rules:

In the Senate, April 27, 1949.

Whereas, The Pennsylvania Liquor Control Board does

not have a setup of uniform rules, regulations and policies of procedure, and

Whereas, Because of this lack of uniformity, some of the decisions and rulings of the Board are contradictory, and

Whereas, Because of this confusion, courts very often overrule the Boards' decisions and criticise the Board for overstepping its authority in its interpretation of the Liquor Control Acts, and

Whereas, A printed compilation of the Board's rulings regulations, policies and procedure would be useful, necessary and informative to Legislators, Attorneys, Licensees, Vendors, Officials and others having business with, or interested, in the administration of liquor control in Pennsylvania; Therefore, be it

Resolved, That the Pennsylvania Liquor Control Board, immediately prepare a complete compilation of all rules, regulations, policies and procedure and the booklet be made available after it has been approved by the Attorney General, to conform with the provisions of the Pennsylvania Liquor Control Laws.

#### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Thursday, April 28, 1949, at 9:00 o'clock, a. m., Eastern Standard Time.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:59 o'clock, p. m., Eastern Standard Time, until Thursday, April 28, 1949, at 9:00 o'clock, a. m., Eastern Standard Time.