

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1212, (House Bill No. 1760), entitled:

An Act creating a commission to make a study and investigation of the various problems related to the surface subsidence frequently caused by the mining of anthracite coal, directing such commission to make a report and recommendations to the General Assembly; conferring certain powers upon such commission, including the power to issue subpoenas, administer oaths and affirmations, retain employes and expend funds; and making an appropriation.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1233, (House Bill No. 1483), entitled:

An Act to repeal the act approved the sixteenth day of January one thousand seven hundred and ninety-nine (3 Sm Laws page 338) entitled "An Act to declare Frankford Creek a public highway."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1236, (House Bill No. 1585), entitled:

An Act authorizing political subdivisions to accept in full payment of municipal claims taxes penalties interests and costs such amount as may be fixed for the discharge thereof in proceedings under the National Bankruptcy Act.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1252, (House Bill No. 1837), entitled:

An Act to further amend clauses (6) and (7) of section two and section nine hundred eight of the act, approved the twenty-eighth day of May, one thousand nine hundred and thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring up-

on the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," changing the definitions of "Common Carrier by Motor Vehicle" and "Contract Carrier by Motor Vehicle;" and giving the Public Utility Commission the right to inspect and access to facilities and records of all persons and corporations subject to said act.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1256, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey certain plots of land.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Tuesday, June 24, 1941, at 12:00 o'clock, noon, Eastern Standard Time.

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

The motion was agreed to.

The Senate adjourned at 6:44 o'clock, p. m., Eastern Standard Time until Tuesday, June 24, 1941, at 12:00 o'clock, noon, Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

MONDAY, June 23, 1941.

The House met at 8 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

### PRAYER

The Chaplain, Rev. Donald McFall offered the following prayer:

O God, our Father, we seek Thy blessing and benediction upon our Nation of which we are a part. Guide our President. Deliver us from bitterly criticizing those who are our leaders. Thou knowest how terrible is their responsibility in guiding our Nation in these troublesome

times. Give each of us a new and worthier appreciation of this land of ours. May we glory in our liberties. In every way may we so act that war may soon cease and the blessed dawn of peace appear over the world.

As representatives and citizens of a great Nation, give us a sunny-hearted faith in one another, and above all, may we look to Thee in prayer. Teach us how to pray and what to pray for. May we ever be humble before Thee and our fellowmen. In Christ's Name, we pray. Amen.

### JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, June 18, 1941.

The Clerk proceeded to read the Journal of Wednesday, June 18, 1941, when, on motion of Mr. DOLON, unanimously agreed to, the further reading was dispensed with and the Journal approved.

### BILLS INTRODUCED AND REFERRED

By Messrs. WILLIAMS and PETTIT.

HOUSE BILL No. 1906.

An Act requiring the Department of Property and Supplies to print and bind additional copies of the Pamphlet Laws of 1919.

Referred to the Committee on State Government.

By Mr. CHAS. A. BRUNNER. HOUSE BILL No. 1907.

An Act to further amend section four of the act, approved the thirteenth day of May, one thousand nine hundred and twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," providing that certificates of registration shall not be issued to corporation, copartnerships or associations which uphold, practice, teach or advocate the overthrow of democratic form of government or are in any way engaged in any subversive activity.

Referred to the Committee on Judiciary General.

By Mr. J. NOBLE HIRSCH. HOUSE BILL No. 1908.

An Act prohibiting the employment by the Commonwealth or any political subdivision thereof of persons whose philosophy proposes the change of the Government of the United States by means not provided for in the Constitution of the United States; providing for hearings and appeals in dismissal proceedings and declaring inoperative any contract or civil service law or regulation and repealing inconsistent acts.

Referred to the Committee on Judiciary General.

By Mr. PRESLEY N. JONES. HOUSE BILL No. 1909.

An Act to further amend section eighteen 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 extending the provisions of the act to all insecticides, germicides or fungicides which are poisons under the terms of said act.

Referred to the Committee on Public Health and Sanitation.

By Messrs. WOODSIDE and KILROY.

HOUSE BILL No. 1910.

An Act authorizing the Department of Highways to construct, repair and maintain highways and runways incident to or a part of airports owned, aided or supported by the Commonwealth or any municipality there-in, and appropriating moneys in the Motor License Fund therefor.

Referred to the Committee on Highways.

By Mr. WOODSIDE.

HOUSE BILL No. 1911.

An Act to further amend Route one hundred and ninety-nine of section six of the act, approved the thirty-first day of May, one thousand nine hundred and eleven (P. L. 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants, and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpike or tollroads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to the Committee on Highways.

### COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## APPROVAL OF HOUSE BILL NO. 238

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 18, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 238, Printer's No. 53, entitled "An Act requiring cities of the second class A having fire departments to allow members of said fire departments twenty-four consecutive hours of rest each week and fourteen days vacation with pay each year except in emergency cases."

ARTHUR H. JAMES.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## APPROVAL OF HOUSE BILL No. 253

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 18, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 253, Printer's No. 874, entitled "An act providing for the appointment powers and control of members of volunteer fire companies as special fire police and conferring powers on them at fires attended by their fire companies in any city borough town and township."

ARTHUR H. JAMES.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## APPROVAL OF HOUSE BILL No. 316

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 18, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 316, Printer's No. 914, entitled, "An act authorizing certain officers on active duty with the armed forces of the United States to act as notaries public and requiring certification of their authority."

ARTHUR H. JAMES.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## APPROVAL OF HOUSE BILL No. 376

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 18, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 376, Printer's No. 913, entitled "An act to amend section eight hundred sixty-five of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled 'An act to consolidate amend and revise the penal laws of the Commonwealth' by prohibiting the sale exposing for sale and offering for sale of certain lubricants in a manner to deceive the purchaser."

ARTHUR H. JAMES.

The Secretary to the Governor being introduced, pre-

sented a communication in writing from His Excellency the Governor, which was read as follows:

## APPROVAL OF HOUSE BILL No. 392

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 18, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 392, Printer's No. 180, entitled "An act authorizing county treasurers to execute and perfect deeds for seated lands sold for taxes by their predecessors in office."

ARTHUR H. JAMES.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## APPROVAL OF HOUSE BILL No. 1190

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 18, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1190, Printer's No. 381, entitled "An act relating to coal stripping operations providing for the health and safety of persons employed therein and for the inspection and regulation of such operations by the Department of Mines requiring certain information and reports and prescribing penalties."

ARTHUR H. JAMES.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## APPROVAL OF HOUSE BILL NO. 1257

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 18, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1257, Printer's No. 524, entitled, "An act to add section three and one-tenth to the act approved the fifteenth day of May one thousand nine hundred and thirty-nine (Pamphlet Laws 134) entitled 'An act relating to fireworks defining fireworks prohibiting the sale offering or exposing for sale and use of fireworks except in certain cases authorizing cities boroughs towns and townships to issue permits for fireworks displays and to regulate the same imposing duties on the Pennsylvania Motor Police sheriffs police officers and constables and providing penalties' providing for an extension of time on permits for such displays when not made on the day designated in the permit."

ARTHUR H. JAMES

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## APPROVAL OF HOUSE BILL NO. 398

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 19, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 398, Printer's No. 883, entitled, "An Act Authorizing the Department of Highway

to take over bridges viaducts and other structures on State highways for the purpose of construction reconstruction maintenance and repair thereof when such highways are designed as essential National Defense Highways."

ARTHUR H. JAMES

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 578

Commonwealth of Pennsylvania,  
Governor's Office Harrisburg, June 19, 1941.

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 578, Printer's No. 65, entitled, "An Act providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously and to make uniform the law with reference thereto."

ARTHUR H. JAMES

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 1265

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 19, 1941.

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1265, Printer's No. 540, entitled, "An Act to amend section sixty-five of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws 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 a certain route."

ARTHUR H. JAMES

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 1346

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 19, 1941.

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1346, Printer's No. 654, entitled, "An Act designating certain days of each year as Arbor Days and Bird Days one of which shall be the ninth day of April except when the ninth day of April falls on Saturday Sunday or Good Friday providing that the week of the ninth of April be proclaimed as Conservation Week and directing suitable observance of Arbor Days and Bird Days in public schools under the direction of superintendents and teachers."

ARTHUR H. JAMES

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 276

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 20, 1941.

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved House Bill No. 276, Printer's No. 585, entitled "An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by The Pennsylvania State College with The General State Authority for the use and occupancy by such college of the various projects structures buildings and facilities of the Authority or for the services rendered by the Authority or its projects."

ARTHUR H. JAMES

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 179

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 23, 1941.

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 179, Printer's No. 345, entitled, "An act validating the title to real estate purchased at judicial sales for unpaid taxes or municipal assessments where there is a defect in the names of the parties in certain cases and providing certain exceptions."

ARTHUR H. JAMES

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 717

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg June 23, 1941.

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 717, Printer's No. 908, entitled, "An Act relating to criminal procedure providing for the securing of attendance of witnesses from within or without the State in criminal cases and making uniform the law in reference thereto."

ARTHUR H. JAMES

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 1636

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 23, 1941.

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1636, Printer's No. 660, entitled, "An Act authorizing the Secretary of Property and Supplies to give and transfer certain visual and radio aviation navigational aids to the Federal Government."

ARTHUR H. JAMES

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 1670

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 23, 1941.

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1670, Printer's No. 726, entitled, "An Act validating the action of cities of the third class in constructing sections of their sewer systems outside of their territorial limits and making such sections lawful sewers of such cities."

ARTHUR H. JAMES

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk.

REAL ESTATE

A communication from John J. Guerin, Philadelphia, addressed to the Speaker, opposing passage of House Bill No. 1626, regulating use and occupancy of buildings in cities of the first class.

Referred to the Committee on Cities First Class.

TEACHERS

A resolution from the Philadelphia Boosters Association favoring legislation for the removal of Communist Facist or Nazi teachers.

Referred to the Committee on Education.

SCHOOLS

Communications from citizens of Philadelphia, addressed to the Speaker, opposing passage of House Bills Nos. 1746, 1357 and 1445.

Referred to the Committee on Education.

SCHOOLS

A communication from Mrs. Alex Reisbord, Philadelphia, addressed to the Speaker, favoring passage of House Bill No. 706, providing funds for free lunches and milk for underprivileged children and opposing passage of House Bills Nos. 1746, 1357 and 1445.

Referred to the Committee on Education.

POLITICAL PARTIES

A telegram from the Committee for Peoples Rights of Eastern Pennsylvania and the Communist Party of Eastern Pennsylvania, addressed to the Speaker, opposing passage of Senate Bill No. 172, further defining political parties.

Referred to the Committee on Elections.

LOCAL OPTION

A communication from The Evangelical Crusader, Harrisburg, addressed to the Speaker, favoring support of Senate Bills Nos. 396 and 669, changing the date for the exercise of local option.

Referred to the Committee on Elections.

LIQUOR LICENSEES

A communication from the Retail Liquor Dealers Association, addressed to the Speaker, favoring passage of House Bill No. 329, regulating liquor licenses.

Referred to the Committee on Liquor Control.

CHIROPRACTIC BOARD

A telegram from the Philadelphia County Medical Society, addressed to the Speaker, opposing passage of House Bill No. 1048, creating a separate Chiropractic Board.

Referred to the Committee on Professional Licensure.

NATIONAL GUARD

A communication from William J. Johnson, Commander, Nathan Holmes Post, No. 362, American Legion, West Chester and Frank Triplett, Adjutant, Moore-Triplett Post No. 451, American Legion, Jenkintown, favoring passage of House Resolution No. 86, memorializing Congress to enact legislation permitting enlistment of members of the colored race in the National Guard.

Referred to the Committee on Rules.

UNITED NATIONS OF THE WORLD

Telegrams from citizens of Pennsylvania, addressed to the Speaker, favoring adoption of House Resolution No. 103, memorializing Congress to create a Federal Union of Nations to be known as the United Nations of the World.

Referred to the Committee on Rules.

TENURE IN EMPLOYMENT

A communication and resolution from the Pennsylvania State Education Association, Harrisburg, addressed to the Speaker, favoring passage of House Bill No. 413, prohibiting employment of persons whose philosophy proposes the change of the government of the United States.

A telegram from The Committee For Peoples Rights, Philadelphia, and the faculty of the Roxborough High School, opposing passage of House Bill No. 413.

Referred to the Committee on State Government.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Paul A. Brunner for Mr. WOLF for tonight and tomorrow.

Mr. Melchiorre for Mr. SCANLON for tonight's session.

SENATE MESSAGES

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 23, 1941.

Resolved, (If the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday June 30, 1941, at 3:30 o'clock p. m. (Eastern Standard Time), and when the House of Representatives adjourns this week, it reconvene on Monday, June 30, 1941, at 8:00 o'clock p. m. (Eastern Standard Time).

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

On the question,

Will the House concur in the resolution of the Senate?

It was unanimously concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, June 17, 1941.

Resolved (if the Senate concur), that House Bill No. 1413, Printer's No. 513, entitled "An act requiring the Department of Highways of the Commonwealth of Pennsylvania after the use of any highway as a detour has been discontinued to restore promptly such highway to substantially the same condition as it was prior to its use as a detour," be recalled from the Governor for further consideration.

SENATE ADOPTS CONFERENCE COMMITTEE  
REPORT ON HOUSE BILL No. 364

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 364.

An Act to amend the act approved the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and 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 reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents' amplifying the provisions thereof as to persons entitled to such payments."

AMENDED SENATE BILL CONCURRED IN  
BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 352.

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

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 352.

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.

SENATE BILL No. 996.

An Act to further amend section four of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 452) entitled as amended "An act to promote the welfare of the people of the Commonwealth creating a General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements

with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" empowering the General State Authority through the exercise of its powers under existing law to construct equip furnish maintain and operate an official residence in the City of Harrisburg for the use of the Governor of the Commonwealth

SENATE BILL No. 998.

An Act to authorize the Secretary of Property and Supplies with the approval of the Governor to sell convey or exchange the Executive Mansion located at Front and Barberry Streets in the City of Harrisburg County of Dauphin

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

HOUSE BILL No. 611.

An Act providing for the acquisition by the Department of Forests and Waters, in the name of the Commonwealth, of certain lands in Luzerne, Sullivan, and Wyoming Counties, for use of as a State Park; making an appropriation for said acquisition; providing for the management of said property by said department and defining the uses to which the property shall be put.

HOUSE BILL No. 1513.

An Act to further amend section three of the act approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled, as amended, "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, co-partnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships, conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by exempting assets held by liquidating trustees.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 284.

An Act making an appropriation, from the Motor License Fund, to the Department of Property and Supplies for the payment of the costs incurred by that Department in acting as purchasing agent for the Department of Highways.

HOUSE BILL No. 300.

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon, through the Conplanter Indian Reservation, in Elk Township, Warren County, Pennsylvania.

## HOUSE BILL No. 1321.

An Act making an appropriation to the Department of Property and Supplies for payment of balances due certain contractors for additions and alterations at the Harrisburg State Hospital.

## HOUSE BILL No. 1334.

An Act making an appropriation to the Department of Property and Supplies for the payment of claims arising in connection with the erection and construction of the Eastern State Penitentiary at Graterford.

MR. FALKENSTEIN IN THE CHAIR

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1878, entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred and 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" as amended, by providing for the appointment of a deputy school treasurer, a deputy school controller and clerks to the school controller.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1741, entitled:

An Act to control the practice of accounting by defining and regulating the practice of public accountancy by those qualified by the Commonwealth to practice as certified public accountants or as public accountants.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 513, entitled:

An Act to further amend section twelve of the act, approved the eighteenth day of July, one thousand nine hundred and 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 contributions by the Commonwealth and contributing employees; 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 employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," granting certain retirement rights to persons who have withdrawn from and returned to school service.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1671, entitled:

An Act to further amend subsections seven and nineteen of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred and 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," fixing the minimum salary and increments of members of the teaching and supervisory staff in school districts of the fourth class; increasing the percentage of state-aid for all districts; and providing additional state-aid through and equalization fund created by this act to be maintained from State appropriations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1790, (Senate Bill No. 806), entitled:

An Act to further amend clause (a) of section one thousand two hundred sixteen 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 sabbatical leaves for certain school employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1476, (Senate Bill No. 459), entitled:

An Act to outlaw claims against the State Emergency Relief Board for which invoices have not been presented within six months of the date of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1757, (Senate Bill No. 508), entitled:

An Act to amend section two thousand three hundred twenty of the act, approved the ninth day of April, one thousand nine hundred and 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 authorizing the State Council



for the Blind to furnish certain aids and services to needy blind persons for persons with impaired vision for the purpose of restoring or improving their vision, and authorizing the State Council for the Blind to accept and expend Federal moneys in furtherance of such purpose.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1823, (Senate Bill No. 367), entitled:

An Act authorizing the Department of Public Instruction, with the approval of the Board of Trustees of the Millersville State Teachers' College, to contract with the Borough of Millersville for the erection of a sewage disposal plant and the connection therewith and use thereof by the Millersville State Teachers' College, and the payment of part of the cost of maintenance thereafter; and making an appropriation.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1782, (Senate Bill No. 785), entitled:

An Act to further amend section nine of the act, approved the first day of May, one thousand nine hundred and thirteen (P. L. 138), entitled "An act defining vocational education; providing for the establishment and regulation of vocational schools; and providing for State aid in the maintenance thereof; and for the payment of tuition by certain school districts, and reimbursement thereof by the State," further regulating State reimbursements to school districts for vocational education; and making provision for additional types of vocational education for which funds may be provided by Congress.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1107, (Senate Bill No. 51), entitled:

An Act authorizing and empowering school districts of the first class to furnish food, including milk, to undernourished and poor school children in their districts.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1549, (Senate Bill No. 241), entitled:

An Act to further amend section two thousand six hundred and four of an act, approved the eighteenth day of May, one thousand nine hundred and 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 providing for the audit of accounts of fourth class school districts by the borough or township controller or auditors.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1841, (Senate Bill No. 1095), entitled:

An Act to further amend paragraph nineteen of section one thousand two hundred and ten of the act approved the eighteenth day of May one thousand nine hundred and 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" providing for minimum salary and increments of part-time teachers of children of exceptional physical or mental condition unable to attend regular public school and for payments by the Commonwealth on account thereof.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1622, entitled:

An Act placing corporations operating cemeteries and burial grounds under the control of the Department of Banking authorizing said Department to make examinations of the affairs of such corporations at the cost of such corporations and in certain cases with the approval of the Department of Justice, to take over and operate the same and imposing certain duties on the court of common pleas.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1866, (Senate Bill No. 905), entitled:

An Act to further amend clause (a) of section two of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 388) entitled "An act relating to the jurisdiction powers and procedure of the orphans' court and the court of common pleas as to sales mortgages conveyances on ground-rents leases extinguishment of ground-rents partition exchange squaring and adjusting of lines between adjoining owners consolidation and combination of mining lands and the leasing thereof the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands and the subdivision of premises so as to command the highest price or greatest rents and for such purpose the laying out or dedication of roads streets and alleys or the vacation of such as have not been accepted by the public authorities where the court shall be opinion that such decree will be to the interest and advantage of all those interested and where the legal title is held by minors lunatics habitual drunkards or weak-minded persons a married person whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years by corporations having no capacity to convey or by any unincorporated association by any religious beneficial or charitable society or association incorporated or unincorporated and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law by a corporation or individual or individuals and is subject to a trust of any description whatever by any person as to whom a presumption of death may have arisen or any interest wherein is held by any person under legal disability to dispose thereof where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record contingent remainders executory devises or remainders to a class some or all of whom may not be in being or ascertained where estates shall have been devised or granted for special or limited purposes where there is



a power of sale but the time may not have arrived for its exercise any preliminary act may not have been done to bring it into exercise the time limited for its exercise may have expired or any one or more persons required to consent or join in its exercise may be non compos mentis have removed out of the State have died refuse to act unreasonably withhold consent or be absent and unheard of where there has been or shall be a defective appointment in any deed or will and the necessary power is not given to the executor devisee or appointee to make sale and conveyance where a trust has been created and no power conferred on the trustees to do any of the acts which the court is hereby empowered to authorize or confirm and to the effects of such decrees" extending the provisions of said act to cases where real estate is held by entireties and the one spouse has been declared weak-minded or mentally incompetent.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1209, (Senate Bill No. 1), entitled:

An Act providing that when inmates of an orphan's home or other children's institution or private home are maintained at the cost of any county other than a county of the second class or at the cost of a county institution district other than in a county of the second class and attend public school and are not legal residents of such school district the county shall pay their tuition charges and collect the same from the school district liable therefor

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 448, entitled:

An Act to further amend clause (e) of section seven and to amend the first paragraph of section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; Providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by re-defining eligibility for assistance, providing for appeals from certain decisions of the Department of Public Assistance to common pleas courts, and imposing powers and duties on common pleas courts.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 413, entitled:

An Act prohibiting the employment by the Commonwealth or any political subdivision thereof, of persons whose philosophy proposes the change of the government of the United States by means not provided for in the Constitution of the United States declaring inoperative any contract or civil service law or regulation providing for tenure in employment; and repealing inconsistent acts.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

THE SPEAKER (Elmer Kilroy) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Philadelphia, Mr. Falkenstein, for presiding.

#### BILLS ON SECOND READING

Agreeably to order.

The House proceeded to the second reading and consideration of House Bill No. 1577, (Senate Bill No. 561), entitled:

An Act to amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedures for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by amplifying and changing the powers and duties of the commission its employes and commissioners further regulating and changing the provisions of said act relating to the appointment and removal of registrars and the powers privileges rights and duties of registrars watchers election officers and electors revising and changing the provisions of said act relating to the times places and manner of registering electors and their enrollment as members of political parties change of party enrollment cancellation of registrations preparation and distribution of street lists appeals to the commission and to courts and the procedure thereon providing for appeals by the commission to appellate courts changing certain provisions of said act relating to removal notices providing for the manner of reckoning time imposing additional duties on certain city officers clarifying and coordinating certain provisions of said act and imposing additional penalties.

The first to the tenth sections inclusive were separately read and agreed to.

The eleventh section was read.

On the question,

Will the House agree to the section?

Mr. O'BRIEN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 11, page 22, lines 18 and 19, by removing the underscoring in said lines.

The amendment was agreed to.

The section was agreed to as amended.

The twelfth to the seventeenth sections inclusive were separately read and agreed to.

The eighteenth section was read.

On the question,

Will the House agree to the section?

Mr. O'BRIEN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 18, (sec. 27) page 34, lines 5, 6 and 7, by striking out the words "[at all times] subject to reasonable safeguards, rules and regulations and to the provisions of this act]" and inserting in lieu thereof the following: "at all times subject to reasonable safeguards, rules and regulations]."

The amendment was agreed to.

The section was agreed to as amended.

The nineteenth section was read.

On the question,

Will the House agree to the section?

Mr. O'BRIEN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 19, (sec. 28) page 36, line 6, by inserting after the word "election" the following: "[of which warning shall also be contained on the removal notice]."

The amendment was agreed to.

The section was agreed to as amended.

The twentieth section was read.

On the question,

Will the House agree to the section?

Mr. O'BRIEN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 20, (sec. 29) page 36, line 9, by inserting after the word "at" the word: "[the]".

The amendment was agreed to.

The section was agreed to as amended.

The twenty-first section was read.

On the question,

Will the House agree to the section?

Mr. O'BRIEN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 21, (sec. 30) page 40, line 16, by striking out the word "days" and inserting in lieu thereof the word: "day".

The amendment was agreed to.

The section was agreed to as amended.

The twenty-second twenty-third and twenty-fourth sections were separately read and agreed to.

The twenty-fifth section was read.

On the question,

Will the House agree to the section?

Mr. O'BRIEN. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend sec. 25, (sec. 35) page 49, line 9, by striking out the word "fifteen" and inserting in lieu thereof the following: "fifteen (15)".

Amend sec. 25, (sec. 35) page 49, line 10, by striking out the word "[hours]".

The amendments were agreed to.

The section was agreed to as amended.

The twenty-sixth to the thirty-seventh sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1720, entitled:

An Act authorizing the Department of Property and

Supplies with the approval of the Governor and the Board of Trustees of Harrisburg State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor

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 House proceeded to the second reading and consideration of House Bill No. 1336, entitled:

An Act authorizing and directing the Department of Property and Supplies to reprint the Report of the Commission to Locate the Sites of the Frontier Forts of Pennsylvania and providing for the distribution 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 House proceeded to the second reading and consideration of House Bill No. 1703, entitled:

An Act limiting the amount of costs of prosecution payable by persons when appeals from the payment of fines for summary convictions are not sustained

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 House proceeded to the second reading and consideration of House Bill No. 1501, entitled:

An Act authorizing the Secretary of the Department of Forests and Waters to lease a tract of land in Jackson Township Dauphin County to the Susquehannock Indian Tribe.

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 House proceeded to the second reading and consideration of House Bill No. 1747, (Senate Bill No. 788), entitled:

An Act to amend sections one and two of the act, approved the eighth day of May one thousand nine hundred and twenty-nine (P. L. 1647), entitled "An act relating to the registration of motor vehicles, and the licensing of certain operators thereof and providing for the suspension of the registration of any motor vehicle, or of the operator's license of any operator of a motor vehicle, by the Secretary of Revenue, for violation of the provisions of the public [service] utility company law; authorizing the rescission of such suspension; and providing for the disposition of fees," by extending the provisions thereof to contract carriers by motor vehicle

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 House proceeded to the second reading and consideration of House Bill No. 1804, (Senate Bill No. 1023), entitled:

An Act to further amend Section 1033 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protec-

tion of 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" extending the provisions of such section for a further period of two years

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 House proceeded to the second reading and consideration of House Bill No. 1690, (Senate Bill No. 782), entitled:

An Act to further amend subsection (a) (b) and (c) of section one thousand two hundred and one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates pacing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of com-

mission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines penalties and repealing legislation supplied and superseded by or inconsistent with this act" further providing for assessment of regulatory expenses upon public utilities

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 House proceeded to the second reading and consideration of House Bill No. 1161, entitled:

An Act requiring cities of the third class to allot the sum of sixty dollars to all uniformed officers and men employed in the police department fire department and health department for the purchase of their prescribed uniforms

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

Ordered, To be transcribed for a third reading.

## SENATE MESSAGE

### SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 467. (HOUSE BILL No. 1912).

An Act authorizing the Secretary of Highways to establish, construct and maintain parallel or approximately parallel State highways in townships, boroughs, incorporated towns and cities in certain cases; providing for the payment of property damages resulting therefrom, and authorizing the Secretary of Highways to control the direction of the flow of traffic thereover.

Referred to the Committee on Highways.

SENATE BILL No. 911. (HOUSE BILL No. 1913).

An Act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution.

Referred to the Committee on Legislative Apportionment.

SENATE BILL No. 1218. (HOUSE BILL No. 1914).

An Act making and appropriating 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-one.

Referred to the Committee on Appropriations.

## RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess until 9 p. m.

The Chair hears none and a recess is declared.

## AFTER RECESS

The House reconvened at 9 p. m.

THE SPEAKER (Elmer Kilroy) IN THE CHAIR

## REPORTS FROM COMMITTEES

Mr. GERARD, from the Committee on Appropriations, reported as committed, House Bill No. 1857, entitled:

An Act making an appropriation to the Department of Revenue for the payment of claims against the Commonwealth arising from damage by fire caused by defective wires used for operating airplane beacons.

Mr. REUBEN E. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 1888, (Senate Bill No. 1186), entitled:

An Act authorizing the Department of Military Affairs of the Commonwealth of Pennsylvania to arrange for the design and permanent display in the County of Philadelphia of a plaque or monument in memory of the Honorable Theodore Rosen and making an appropriation.

Mr. O'BRIEN, from the Committee on Appropriations, reported as committed, House Bill No. 1792, (Senate Bill No. 994), entitled:

An Act making an appropriation to the Thomas Jefferson Bicentennial Commission of Pennsylvania.

Mr. BONEY, from the Committee on Appropriations, reported as committed, House Bill No. 1807, (Senate Bill No. 1006), entitled:

An Act to amend Route 18033 established by amendment to the act, approved the twenty-second day of June, one thousand nine hundred and 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."

Mr. READINGER, from the Committee on Appropriations, reported as amended, House Bill No. 1746, (Senate Bill No. 559), entitled:

An Act prescribing additional powers and duties on the Joint State Government Commission to make a survey of the educational facilities of the Commonwealth conferring upon the commission full power to issue subpoenas to carry out such additional functions and duties and conferring upon the courts of common pleas power to enforce obedience to subpoenas so issued imposing duties on departments and agencies of the State government and on colleges and universities and making an appropriation.

Mr. HARKINS, from the Committee on Appropriations, re-reported as committed, House Bill No. 1014, entitled:

An Act to further amend clause eight of section one thousand two hundred and ten of the act, approved the eighteenth day of May, one thousand nine hundred and 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 changing the minimum salary of county superintendents.

Mr. MELCHIORRE, from the Committee on Appropriations, reported as committed, House Bill No. 1914, (Senate Bill No. 1218), 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-one.

Mr. LOVETT, from the Committee on Appropriations, re-reported as amended, House Bill No. 1631, entitled:

An Act authorizing and directing the Department of Highways to erect, construct and maintain a free bridge over the Allegheny River in or near the Borough of Tarentum, Allegheny County and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways, providing for the acceptance of Federal aid, empowering counties to pay certain damages, and making an appropriation.

## BILL ON FIRST READING

Mr. MELCHIORRE asked and obtained unanimous consent for House Bill No. 1914 (Senate Bill No. 1218), to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1914, (Senate Bill No. 1218), 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-one.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REPORT OF COMMITTEE TO INVESTIGATE  
GAS EXPLOSIONS

Mr. D'ORTONA offered the report of the committee to investigate gas explosions occurring in the twenty-sixth ward of the city of Philadelphia on February 11, 1941, appointed pursuant to House Resolution No. 25.

Printed copies of the report were distributed to the Members of the House.

The SPEAKER. The report will be noted in the Journal and printed in the Appendix to the Legislative Journal.

## HOUSE BILL No. 329 PLACED ON CALENDAR

Mr. O'BRIEN. Mr. Speaker, I move that House Bill No. 329, Printer's No. 733, entitled:

An Act to further amend the definition of "Restaurant" in section two and section four hundred eleven of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees

and imposing penalties" eliminating some of the requirements heretofore imposed upon restaurant licensees.

which was dropped from the calendar under the rule pertaining to bills on the postponed calendar, be placed on the calendar.

The motion was agreed to.

#### CONGRESSMAN WELCOMED

The SPEAKER. The Chair welcomes to the House this evening Congressman Patrick J. Boland, from the Eleventh Congressional District.

#### RECONSIDERATION OF SENATE BILL No. 561

Mr. ROSENFELD. Mr. Speaker, I move that the vote by which Senate Bill No. 561 (House Bill No. 1577), Printer's No. 473, entitled:

An Act to amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors and registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by amplifying and changing the powers and duties of the commission its employes and commissioners further regulating and changing the provisions of said act relating to the appointment and removal of registrars and the powers privileges rights and duties of registrars watchers election officers and electors revising and changing the provisions of said act relating to the times places and manner of registering electors and their enrollment as members of political parties change of party enrollment cancellation of registrations preparation and distribution of street lists appeals to the commission and to courts and the procedure thereon providing for appeals by the commission to appellate courts changing certain provisions of said act relating to removal notices providing for the manner of reckoning time imposing additional duties on certain city officers clarifying and coordinating certain provisions of said act and imposing additional penalties.

on page 7 of today's calendar, bills on second reading, was ordered to be transcribed for a third reading be reconsidered.

Mr. MONKS. Mr. Speaker, I second the motion.

Mr. ROSENFELD. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. MONKS. Mr. Speaker, I second the motion.

The SPEAKER. How did he gentleman from Philadelphia, Mr. Rosenfeld, vote on the motion to transcribe for third reading?

Mr. ROSENFELD. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Monks, vote on the motion to transcribe for a third reading?

Mr. MONKS. Mr. Speaker, I voted in the majority.

On the question,  
Will the House agree to the motion?  
It was agreed to.

Mr. ROSENFELD. Mr. Speaker, I move that the vote by which this bill passed second reading as amended be reconsidered.

Mr. MONKS. Mr. Speaker, I second the motion.  
The motion was agreed to.

Mr. ROSENFELD. Mr. Speaker, I move that the vote by which the title and the various sections were agreed to be reconsidered.

Mr. MONKS. Mr. Speaker, I second the motion.  
The motion was agreed to.

The first and second sections were separately read and agreed to.

The third section was read.

On the question,  
Will the House agree to the section?

Mr. ROSENFELD. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend section 3, page 12, line 22 by striking out the word "publicly"

Amend section 3, page 12, line 22 by inserting after the word "given" the following: "by publishing one general notice in at least two daily newspapers each having a paid circulation of at least fifty thousand copies daily in the city."

The amendments were agreed to.

The section was agreed to as amended.

The fourth, fifth, sixth, seventh, eighth and ninth sections were separately read and agreed to.

The tenth section was read.

On the question,  
Will the House agree to the section?

Mr. ROSENFELD. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend section 10, page 22, line 12, by striking out the light faced stripe out bracket before the word "by".

Amend section 10, page 22, line 16 by striking out the light faced strike out bracket after the word "registration".

Amend section 10, page 22, lines 16 and 17 by striking out the following: "by such other means as it shall deem advisable."

The amendments were agreed to.

The section was agreed to as amended.

The eleventh section as amended; the twelfth to the seventeenth sections inclusive; the eighteenth, nineteenth, twentieth and twenty-first sections as amended; the twenty-second to the twenty-fourth sections inclusive; the twenty-fifth section as amended, the twenty-sixth to the thirty-seventh sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

#### COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## APPROVAL OF HOUSE BILLS NOS. 382 AND 1126

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 23, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 382, Printer's No. 869, entitled, "An Act authorizing political subdivisions to appropriate money for participation in Federal Surplus Commodities Stamp plans to borrow money and issue bonds for said purpose providing for the payment of such appropriations into a special fund in the State Treasury appropriating the money in such fund and authorizing the purchase of necessary insurance."

House Bill No. 1126, Printer's No. 230, entitled "An Act to further amend part of section three hundred and two, to amend section three hundred and seven and part of section fifteen hundred and one of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), 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 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," establishing the Surplus Commodities Stamp Fund; and authorizing the State Treasurer to disburse money from said fund upon requisition of the Secretary of Public Assistance

ARTHUR H. JAMES

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## VETO OF HOUSE BILL No. 383

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 20, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 383, Printer's No. 202, entitled "An act to further amend section one thousand five hundred three of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 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' providing that school districts of the fourth class may employ at their own expense a medical inspector."

This bill would amend Section 1503 of the Act of May 18, 1911, P. L. 309, more generally known as The School Code, by authorizing school districts of the fourth class to provide medical inspection at their expense by appointing a medical inspector possessing certain qualifications who would perform the duties prescribed by the school board, regardless of the fact that the bill still makes it mandatory for the Department of Health to provide medical inspection of all pupils in these districts at its own expense and with medical inspectors appointed by the Secretary of Health.

Under the present law the Department of Health must provide medical inspection of the pupils in these school districts at its own expense with medical inspectors appointed by the Secretary of Health. If the department is unable to furnish such service because of lack of funds, then the boards may provide adequate or additional medical service.

Under this bill school districts of the fourth class would be permitted to provide such medical service, despite the fact that the Department of Health is required to furnish such service.

Obviously, this bill would result in a division of responsibility for providing medical inspection in school districts of the fourth class, since it would cause a duplication and conflict of activities in this field, particularly in connection with the program and the requirements of the Department of Health, whose mandatory duty it is to render this service.

It is evident that the enactment of this bill would result in needless expenditures being incurred by these school districts without justification.

For these reasons the bill is not approved.

ARTHUR H. JAMES.

On the question,

Shall the bill become a law, the objections of His Excellency the Governor to the contrary notwithstanding?

## COMMUNICATION AND BILL LAID ON TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that the communication together with the bill be laid on the table.

The motion was agreed to.

## COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## VETO OF HOUSE BILL No. 124

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 20, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 124, Printer's No. 843, entitled, "An Act to amend the title and the act approved the twenty-eighth day of April, one thousand nine hundred and thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission establishing its jurisdiction, powers and duties, regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor, requiring milk dealers to file bonds, to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission, conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission, authorizing the commission to adopt rules, regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh, measure,



sample or test milk to procure permits or certificates to take examinations to pay fees therefor, to furnish certain notices, records and statements and to use certain methods of weighing, measuring, sampling and testing, authorizing the commission to examine the business papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby, authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto, providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals, prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission, defining perjury, defining remedies, repealing legislation supplied and superseded by this act and saving rights, duties and proceedings thereunder and making appropriations," by adding the term "handler" as a synonym for the term "milk dealer" defining the terms "handle" and "handler" extending the provisions of the act to those who handle milk by baliment, brokerage, consignment or purchase; authorizing special agents or examiners to conduct hearings on behalf of the commission enabling certain officers, employes and agents to administer oaths, providing the method and effect of service of certain orders, and the posting of rules, regulations and certain orders, enabling employes of the commission to photograph photostat, mark or stamp for identification books and papers that they have inspected, providing for action with milk control agencies of other states and of the United States in holding hearings and promulgating and enforcing orders, requiring milk dealers or handlers to be licensed, stating grounds for refusal, suspension, revocation of licenses or the right to apply for a license or for refusal to transfer licenses, stating the effect of service by registered mail when the addressee refuses to accept or receive such mail, enlarging requirements of milk dealers or handlers to file bonds to secure payment to producers and certain milk dealers or handlers, prescribing the effective date and term of such bonds and providing for their release, providing for the increase or decrease of the amounts of bonds, prescribing the effect of orders and findings of fact of the commission relating to licenses in suits on bonds, providing for the payment to those entitled thereto of moneys in the hands of the commission owing to milk dealers or handlers or producers, increasing the scope of regulation of sub-dealers making certain information available to cooperatives and producers' groups, clarifying the requisites of orders fixing prices for milk, providing for the competency of certain statistical testimony and data, providing that all provisions of price-fixing orders shall be presumed valid and placing the burden of proving invalidity or partial invalidity of any order, defining violations of orders of the commission fixing prices, making milk dealers or handlers responsible for acts of directors officers agents or other persons acting for or on behalf of them, giving certain additional rights to cooperatives and producers' and farmers' unions or organizations of producers of milk, further regulating and imposing duties on milk dealers or handlers, setting up a price fixing procedure, restricting powers of the Governor, prescribing procedure on appeal from orders of the commission, further defining and prescribing penalties defenses rights and remedies, and providing for the payment of funds in the hands of the commission owing to producers and handlers

This bill would amend the Milk Control Law (Act of April 28, 1937, P. L. 417) in many respects and in particular would remove the present requirement that all orders of the Milk Control Commission fixing prices of milk are subject to the approval of the Governor. In my opinion this provision is a most salutary one and should be retained.

During the past two years this Administration has adopted a procedure that has enabled me to know whether a proposed order of the Milk Control Commis-

sion fixing minimum prices is reasonable. Before an order has been signed by me, the Attorney General has held conferences to which producers of milk, consumers of milk and dealers in milk have been invited to discuss the proposed order. A record has been made of all the comments and suggestions made at these conferences. As a result of the conference the Attorney General has made a report to me and that report has been an important guide to me in determining whether or not price orders of the commission should be approved.

Whatever the merits of the other provisions of this bill may be, they are completely overbalanced by the provision that would remove this safeguard from the Milk Control Law. Without this provision the bill would have been approved, and if it is the sense of the Legislature that it wishes to re-pass the other provisions, there is still time in the present session for this to be accomplished.

For this reason the bill is not approved.

ARTHUR H. JAMES.

On the question,

Shall the bill become a law, the objections of His Excellency the Governor to the contrary notwithstanding?

Mr. ACHTERMAN. Mr. Speaker, the measure before us now is possibly best known in this House as the Haberlen Milk Control Bill, which the Governor has seen fit to veto.

I marvel at the Governor. I really do.

I had thought that after he had vented his rage upon the helpless insane of our Commonwealth, after he had balked our efforts to reduce taxes, after he has played politics with the payrolls of Departments under the supervision of Democrats, after he had forced the best man in his cabinet to take a walk, after he had nominated an ex-convict to be a hospital trustee—after all these things, I had thought there was nothing left for him to do but become sensible and try to work out the State's tangled conditions.

But, Mr. Speaker, I have learned a lesson. There is no limit to human stupidity. The Governor has proved that to us by his veto of the Haberlen Milk Control Act.

Here is a measure which the dairy farmers of the State demanded with one voice. This is a measure which met with the hearty approval of legislators of both parties. It is one of the few which House and Senate have been able to agree upon.

It would have wiped out the consignment purchase racket against which the farmers have been bitterly protesting for years. But the Governor throws it back to us with the air and attitude of a petulant child who announced that he won't play any more and is going home.

The Governor whines that his voice has been eliminated from the price fixing sections of the Milk Control Act. If this were his real reason, why did he not ask the obedient Senate to recall the measure from his desk so that it might be amended to suit his fancy instead of vetoing the bill.

What are we to think? The Governor is acting in a childish fashion. This action is of the same stripe as the arrogant and untrue Phillipic he shouted to the General Assembly recently.

I tremble for the Commonwealth for the next two years with such an unbalanced and unreliable leader in power. To what avail are the honest and friendly conferences we are having with Senate leaders on the points of difference between us if we cannot rely upon the Governor to act in the same intelligent manner as his followers in the General Assembly. The Governor's latest act is one of folly



and contemptuous disregard for the interests of a large body of our citizens—the dairy farmer.

I repeat, Mr. Speaker, if this Governor were sincere in the reasons he announced in his message, then he would without hesitancy ask that the bill be recalled and amended instead of taking the method which he did, veto.

#### MOTION TO OVERRIDE VETO

Mr. ACHTERMAN. Therefore, Mr. Speaker, I move that this House override the veto of the Governor on House Bill No. 124, Printer's No. 843.

On the question,

Will the House agree to the motion?

Mr. ACHTERMAN. In making that motion, Mr. Speaker, I call up the Members on the other side of the House who are interested in the welfare of the farmer, who will refuse to play the small, insignificant politics that the Governor of Pennsylvania is now playing, I am calling upon you to assist the Democratic membership of this House in passing the legislation that has been a crying need of the farmers of this Commonwealth.

Mr. WOODSIDE. Mr. Speaker, it is always said when you don't have any argument for a cause, the best thing to do is to try to divert attention from the issue. The speech of the gentleman from Monroe certainly was a perfect example of that trick of smart lawyers.

The Governor in his message outlined the purpose and the reason for which this bill was vetoed. He stated specifically that he would sign a bill containing the same provisions as this bill if it were passed by this House and this Senate, leaving out the one provision relating to the right of the Governor to sign the milk orders,—taking away rather the right of the Governor to sign the milk orders. That was the provision that was put into the law and was in the law during the Democratic administration. It is a provision which I, as Governor, would certainly be glad to have taken out in order to avoid the responsibility and the difficult task which it would place upon me, but the Governor of this Commonwealth, and I feel rightly so, felt that if it were taken out he would be shirking his duty. He feels that its being placed there has resulted in an improved administration; that as a result of the conferences with the Attorney General, as he has pointed out in his message, the farmers of this Commonwealth have been benefitted and the people of this Commonwealth have benefitted, and that if he should run out on this task, however difficult or disagreeable it might be, he would be running out on the people of the Commonwealth of Pennsylvania. He feels that because it is for the best interests of the people of the Commonwealth to permit that provision to remain in the bill, he wants it in and has asked the Legislature to pass another bill containing this important provision which is of benefit to the farmers and the people of the Commonwealth of Pennsylvania, which he says he will sign, providing of course that one item remains.

It seems to me under those circumstances the proper thing to do is to vote "no" on the motion now before the House.

The gentleman on the other side asks why the Governor did not ask the Senate, as he puts it, to recall this bill. In the first place, may I call attention of the gentleman that the bill could not be recalled by the Senate; it must have the concurrence of the House to recall this

bill. He didn't call your attention to that fact, but it is true.

Therefore, Mr. Speaker, I think that the arguments of the gentleman on the other side are entirely beside the issue, and that the House of Representatives should vote "no" on the matter now before it.

Mr. ACHTERMAN. Mr. Speaker, I am struck by the argument of the gentleman, the minority floor leader of this House for the reason, of course, that he says if he were Governor he certainly would acquiesce in this bill as it was passed. Now, I have never known the gentleman on the other side to shirk his duties. I do not believe he does, although he said if the Governor accepted this bill he would be shirking his duties.

I am quite convinced that the Governor would not be shirking his duties; on the contrary I believe the Governor would be acquiescing in the will of the people of Pennsylvania. May I just refer to the history of this bill? When it finally came before the House for concurrence in the Senate amendments, it passed this House by a vote of two hundred to nothing, indicating this House was in unanimous accord with the bill as it went to the Governor's Office. I say, Mr. Speaker, it comes with poor grace from the Governor's Office, when he had such an easy method of presenting to this House his objections. If his objections were only those mentioned in his message he could with comparative ease have notified the member who introduced the bill on this side of the House what his objections were,—it would not be the first time in this Session that he has done so, but instead he took the other method, the method of vetoing. For what reason? I am uncertain; I have doubts, of course, Mr. Speaker, that the reasons were only those mentioned in his message. On the contrary, I believe there is a deeper underlying reason and I am saying now is the time to pass this measure. I am saying if you meant what you voted on June 9th then you will be in accord with my motion to override the veto. If on the contrary you only paid lip service in the hope of mollifying some of your constituents, then of course you will vote against the motion. But if you are sincere, if you honestly believe the condition of the farmers would be improved by this bill, if you want to help the farmer and if you desire to improve his conditions then you will vote to override the Governor's veto. You should not be mollified or appeased by a statement from the Governor's office that lacks so much in weight, that is so apparently a sham, and which indicates that he desires apparently to scuttle the measure, not by direction but by indirection. You should vote to see that this bill becomes a law of this land regardless of the Governor's veto.

Mr. NAGEL. Mr. Speaker, perhaps there is no one in this body who is more familiar and conversant with the sentiment of the farmers than I am, having served for quite some time as a director of the Keystone Milk Producer's Association. I attended all the monthly meetings in the city of Butler, and there I learned just what these producers of milk wanted. This bill, House Bill No. 124, is a bill that is sponsored by the milk producers of the state of Pennsylvania. They want this bill; they must have something of the kind for their protection, or they are lost financially.

Now, I don't want to criticize our Governor; he is the Governor of this great Commonwealth, but I want to call attention of the Members of this House to the sentiment

and to the criticism that was offered against the Governor, not only by Democrats, but by Republicans who were milk producers of this Keystone Milk Producer's Association, when by his first act after he took office, the Governor signed a bill that reduced the price of milk something like ninety cents per hundred pounds. I want to recall and refresh your memories regarding the fact that seventy-six cents out of this cut was borne by the producers, and only sixteen cents borne by the distributor. That is why the farmers of our state have demanded that the bill be written in its present form, and that is why the farmers of our state lost confidence in the sound judgment of our Governor.

I ask you Members of this House on both sides to vote for this motion and give to the farmers something that will protect them. If we go back to our homes and to our different districts and campaign for reelection, what can we say to these farmers that we have done for them? What can we offer them as their representatives here at Harrisburg in the way of service if we cannot show them that we have done something for the milk producers in the state of Pennsylvania?

Members of this House, do not lose sight of the fact that the Milk Board and the Milk Commission as it was later called was established not for the protection of the dealers, the big milk dealers of this state, not for the big dairy interests of our nation, but it was set up to protect the farmer who was losing his farm, who was year after year increasing the great mortgage that was resting upon his shoulders. Mr. Speaker, this is one of the most important pieces of legislation that has come before this body for consideration, and I think it would be a shame and a disgrace to let it go by default. We shall have no excuse to offer our constituents back home if we are so derelict in our duties as to let this matter fall in its present condition. I ask all the members of the House to support this motion.

Mr. WOODSIDE. Mr. Speaker, the gentleman from Monroe criticized the Governor for exercising his office in vetoing a bill. It is a matter of constitutional right, it is a matter of constitutional duty of the Governor to pass upon bill. It certainly is not any abuse of discretion for him to veto a bill which he feels is not proper in any particular.

Mr. Speaker, again it seems to me the issue has wandered far afield. We have heard the good points of this bill, that is what the Governor said. He said there are good points in this bill, a lot of them. He makes a suggestion both to this House and the Senate, he says, "Pass a good bill; there is plenty of time to do it, containing the good provisions of this bill." There is no argument about it. The only argument is whether this new bill should contain the provisions which are in it now minus the one which is objectionable to the Governor; or whether this one objectionable feature is so important to the people of the Commonwealth of Pennsylvania.

The only question before the House is whether this one single item is so important to the people of Pennsylvania that the Governor's veto should be overridden, and that is the only question before us. I think the majority of the producers and the people of the Commonwealth of Pennsylvania feel that the right of the Governor to pass upon these orders of the Milk Control Board is for the best interests of the producers and has operated for the

best interests of the producers as well as the people generally in the Commonwealth of Pennsylvania. That being the case it seems to me there is no question about what our duty should be, and that is to follow the suggestion of the Governor; to vote "no" on the motion now before us. There is still time to pass a bill containing the good provisions involved in this bill and which would improve the Milk Control Act.

Mr. Speaker, it might be possible to pick up a bill that is already in and that has passed one or the other house and amend it so that it would contain those provisions and put it through, but regardless of that I think we all agree that the Legislature is going to be in session for at least six days and it will be possible to introduce a new bill and get it through before the adjournment of this session of the Legislature.

Mr. ACHTERMAN. Mr. Speaker, in reply to the minority leader, may I say that astride from the unusual method the Governor used in expressing his opposition, I am convinced that the bill as passed is what the people of Pennsylvania want. It is the type of bill the Governor should bend and yield to. Apparently the desire was almost unanimous. Not only did this House finally on June 9th pass this bill by a vote of 200 to 0, no dissenting vote, but in the Senate, Mr. Speaker, on June 3rd, this bill was passed by a vote of 46 to 2. I know of no better method of ascertaining the expressed desire of the people of Pennsylvania than the vote on the bill. I reiterate, Mr. Speaker, unless the membership on the other side is shamming and did not mean what they were saying at that time, then they are going to vote to override the Governor's veto.

Mr. SNYDER. Mr. Speaker, with reference to the remarks made by the gentleman from Beaver, I would like to inform him that most of the changes that have been made in this bill House Bill 124 are administrative changes. So far as its affecting the producers of Pennsylvania is concerned, it does not differ from our present act. I remember in the Session of 1939 the other side of the House voted unanimously against the Milk Bill.

I would like to reiterate for the benefit of the gentleman from Monroe, Mr. Achterman, that according to the Governor's veto message he has stated he will be glad to sign a bill with this one provision eliminated. Now, let us see whether the Democrats are so interested in the producers of Pennsylvania and see whether they will vote for a bill if another one is introduced and this motion is voted down. Then we will see whether the Democrats are interested in the producers of Pennsylvania as the Republicans are. If it is such a wonderful bill and if it is such a good piece of legislation to have had Governor Earle as an ex-officio member of this milk commission in 1937, I am wondering why they want to eliminate the Governor now from being an ex-officio member and signing these orders as they are put out.

Mr. ACHTERMAN. Mr. Speaker, the gentleman who has just spoken is wondering whether we are still interested in the producers of Pennsylvania. May I tell the gentleman in just a few minutes he is going to receive his answer. The Democratic Party is going to vote again for this bill and that is the answer to whether or not we still are interested.

On the question recurring,

Shall the bill become a law, the objections of His Excellency the Governor to the contrary notwithstanding.

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. WOODSIDE, TURNER and WINNER asked for a verification of the roll. The roll was verified and was as follows:

## YEAS—115

Achterman,	Finnerty,	Maxwell,	Readinger.
Allmond,	Flynn,	McClanaghan,	Reese, R. E.,
Baker,	French,	McDermott,	Reynolds,
Balthaser,	Gallagher,	McFall,	Rooney,
Baughner,	Gerard,	McIntosh,	Rose, S.,
Bentley,	Goodwin,	McLanahan,	Rosenfeld,
Bentzel,	Gryskewicz,	McLane,	Rush,
Boies,	Haberlen,	Malchiorre,	Sarraf,
Boney,	Hamilton,	Mihm,	Schwab,
Bradley,	Harkins,	Modell,	Shaffer,
Breth,	Harmuth,	Monks,	Shaw,
Brunner, P. A.,	Harris,	Mooney,	Skale,
Burris,	Heatherington,	Moran,	Stine,
Chervenak,	Herman,	Moul,	Tarr,
Chudoff,	Hersch,	Munley,	Tate,
Cochran,	Hirsch,	Nagel,	Thompson, E. F.,
Cohen, M. M.,	Jefferson,	Nunemacher,	Vincent,
Cohen, R. E.,	Jones, P. N.,	O'Brien,	Vogt,
Cortigan,	Keenan,	O'Connor,	Voidow,
Croop,	Kenehan,	O'Mullen,	Weiss,
Cullen,	Kolaniewicz,	O'Neill,	Weiss, E. B.,
DiGenova,	Komorowski,	Owens,	Weiss, M. J.,
Dolon,	Leonard,	Petrosky,	Williams,
D'Ortona,	Lesko,	Pettit,	Woodring,
Duffy,	Levy,	Polaski,	Wright,
Early,	Longo,	Polen,	Yester,
Elliott,	Lovett,	Powers,	Young,
Falkenstein,	Malloy,	Prosen,	Kilroy.
Finestone,	Marks,	Rausch,	Speaker.

## NAYS—75

Auker,	Gillan,	Leisey,	Sollenberger,
Boorse,	Gillette,	Leydie,	Sorg,
Bower,	Gross,	Lichtenwalter,	Stambaugh,
Bretherick,	Gyger,	Lyons,	Stockham,
Brunner, C. H.,	Habbyshaw,	McClester,	Taylor,
Cadwalader,	Haines,	McKinney,	Thompson, R. L.,
Cooper,	Hall,	McMillen,	Trout,
Cordier,	Hare,	McSurdy,	Turner,
Dalrymple,	Helm,	Muir,	VanAlsburg,
Dennison,	Hewitt,	Rank,	Wagner,
Dix,	Huntley,	Reagan,	Watkins,
Elder,	Imbrie,	Reese, D. R.,	Weingartner,
Ely,	James,	Rhea,	Wilkinson,
Fisher,	Jones, G. E.,	Rose, W. E.,	Winner,
Fiss,	Kline,	Royer,	Wood, L. H.,
Fleming,	Knoble,	Sarge,	Wood, N.,
Fletcher,	Krise,	Serrill,	Woodside,
Foot,	Lee, E. A.,	Simons,	Yeakel,
Gates,	Lee, T. H.,	Snyder,	

Less than two-thirds of the Members elected to the House having voting in the affirmative, the veto of the Governor was sustained.

## PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. LEVY. Mr. Speaker, I ask unanimous consent of the House to hold a meeting of the Committee on Workmen's Compensation in the Conference Room in the rear of the House immediately.

The SPEAKER. Will the House give its unanimous consent? Is there objection?

## QUESTION OF INFORMATION

Mr. WOODSIDE. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Dauphin will state his question of information.

Mr. WOODSIDE. Mr. Speaker, I think from now on during the balance of this session, in announcing commit-

tee meetings to the members, the committee chairman should announce what bills they propose to take up. I, therefore, request the gentleman to please announce that.

The SPEAKER. The Chair is of the opinion that is a very good suggestion.

Mr. LEVY. Mr. Speaker, for the information of the gentleman from Dauphin, the minority floor leader, I might say that the committee is going to consider Senate Bill No. 236, House Bill No. 1481.

The SPEAKER. The Chair hears no objection and consent is granted.

## PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. ALLMOND asked and obtained unanimous consent of the House to hold a meeting of the Committee on Elections immediately on House Bill 602.

## HOUSE BILL No. 690 TAKEN FROM TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 690, together with the message from the Senate which was laid on the table June 9, 1941, be taken from the table.

The motion was agreed to.

The Clerk read the message as follows:

## SENATE MESSAGE

## SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 690, entitled:

An Act to further amend sections 402, 411, 703, 704, 705, 707 and 903 and to repeal section 706 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," providing for the registration and fixing registration fees of commercial motor vehicles, truck tractors trailers and semi-trailers according to gross weight and certain motor buses and omnibuses with pneumatic tires according to equipment, fixing the maximum gross weight of such vehicles which may be used and operated on the highways and eliminating existing provisions relating to the chassis of such vehicles.

Mr. ACHTERMAN. Mr. Speaker, I move that the House

insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE  
ON HOUSE BILL No. 690

The SPEAKER. The Chair appoints as a Committee of Conference on said bill Messrs. ELLWOOD B. WELSH, LOVETT and TURNER.

Ordered, That the Clerk inform the Senate accordingly.

TIME EXTENDED ON BILL

Mr. ACHTERMAN. Mr. Speaker, I move that the time on House Bill No. 1048, Printer's No. 902, entitled:

An Act relating to and regulating the practice of the healing profession of chiropractic, and the licensure and registration of practitioners therein; creating a Chiropractic Board of Examination and Licensure in the Department of Public Instruction; defining its powers and duties, and providing penalties.

on page 7 of today's calendar, bills on second reading be extended one day.

The motion was agreed to.

BILL RECOMMITTED

Mr. SKALE. Mr. Speaker, I move that House Bill No. 1622, Printer's No. 1032, entitled:

An Act placing corporations operating cemeteries and burial grounds under the control of the Department of Banking authorizing said Department to make examinations of the affairs of such corporations at the cost of such corporations and in certain cases with the approval of the Department of Justice, to take over and operate the same and imposing certain duties on the court of common pleas.

be recommitted to the Committee on Banking for the purpose of further study and possible amendment.

The motion was agreed to.

BILLS ON FINAL PASSAGE

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 1259, entitled:

An Act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties

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 "Fourth Class County Retirement Law"

Section 2 Definitions The following words and phrases as used in this act shall be construed to have the following meanings

"Board" the county retirement board created in any county under the provisions of 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 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

"Fund" the county employes' retirement fund created in any county under the provisions of this act

"Accumulated deductions" the total of the amounts deducted from the salary of a contributor and paid into the fund and standing to the credit of the members' annuity reserve account together with regular interest thereon

"Contributor" any person who has accumulated deductions in the fund 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 before the establishment of the retirement system in said county

"Original member" a county employe who was at any time a county employe before the establishment of the retirement system in said county

"New member" a county employe who shall have become a member of the retirement system after the establishment of the retirement system in said county

"Superannuation age" as applied to a contributor means sixty years of age or upwards

"Average 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 and 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

"Members' 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 members' annuity

Section 3 County Retirement System County Retirement Board The county commissioners are hereby authorized to establish a system for the retirement of county employes in each county of the fourth class which shall if established be administered by a county retirement board which shall consist of the county commissioners the county controller the treasurer the register-of-wills the clerk of the courts and the recorder of deeds The chairman of the board of county commissioners shall be chairman of the board Each member of the board may designate a deputy or clerk to act on said board in his stead Five members of the board shall constitute a quorum

Each member of the board shall take an oath of office that he will diligently and honestly administer the affairs of the board and they will not knowingly violate or permit to be violated any of the provisions of this act Such oath shall be subscribed by the member taking it and shall be filed among the records of the board The members of the board shall not receive any compensation for their services but shall be reimbursed for all expenses necessarily incurred in the performance of their duties

The retirement system created by this act shall be established in each county as of the date fixed by resolution of the county commissioners for such system to become effective

Section 4 Personnel and Expenses The board shall appoint and fix the compensation of an actuary The controller shall act as secretary of the board and shall receive such compensation for his services as may be fixed by the salary board The secretary shall keep a record of all proceedings of the board which shall be open to inspection by the public The expense of the administration of this act exclusive of the payment of retirement allowances shall be paid by the county by appropriations made by the commissioners on the basis of estimates submitted by the board

Section 5 Rules and Regulations Actuarial Data The Board shall from time to time establish such rules and regulations for meetings of the board and for the administration of the fund and the various accounts thereof 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 annually the amount of appropriation to be made to build up and maintain adequate reserves for the payments of the county's share of the retirement allowances provided by this act

**Section 6 County Employes' Retirement Fund** Where a county retirement system has been established under the provisions of section three hereof there shall be created in each such county of the fourth class a county employes retirement fund which shall consist of all moneys arising from appropriations made by the county and from contributions made by the members of the county employes retirement system and all interest earned by the investments or moneys of the fund created by this act The moneys contributed by the county shall be credited to a county annuity reserve account and those contributed by the members shall be credited to a members' annuity reserve account The depository shall be selected by the treasurer of the board Upon the granting of a retirement allowance to any contributor whether as a superannuation retirement allowance an involuntary retirement allowance or a total disability retirement allowance as hereinafter provided the amount of such contributor's accumulated deductions in the members' annuity reserve account shall lose their status as accumulated contributions and shall be transferred to a retired members' reserve account and the actuarial equivalent of the county annuity shall be similarly transferred from the county annuity reserve account to the retired members' reserve account The interest earnings shall be apportioned to the members' annuity and county annuity and retired members' reserve accounts The actuary shall determine the present value of the liability or account of all county annuities payable to original members and the percentage of such liability which shall be contributed by the county each year over a period of fifteen years from the time the system is established until the accumulated reserve equals the present value of said liability All such contributions shall be credited to the county annuity reserve account The actuary shall also determine the amount which shall be contributed by the county into the fund periodically for credit to the county annuity reserve account on account of service of all new and original members subsequent to the time the retirement system is established

Each member of the retirement system shall be required to contribute to the fund such per centum of his salary as shall be computed by the actuary to be sufficient with regular interest to procure for him on superannuation retirement one one-hundred twentieth (1-120) of his average salary for each year of service after he becomes a member of the retirement system which contributions shall be paid into the fund through payroll deductions in such manner as the board may require All contributions by members shall be credited to the members' annuity reserve account

**Section 7 Custody of and Payments from Fund** All moneys and securities in the fund created by this act shall be placed in the custody of the county treasurer for safekeeping and all payments from said fund on account of retirement allowances shall be made only on requisition signed by the chairman and secretary of the board

**Section 8 Management and Investment of Fund** The members of the board shall be trustees of the fund created by this act and shall have exclusive management of said fund with full power to invest the moneys therein subject to the terms conditions limitations and restrictions imposed by law upon fiduciaries Subject to like terms conditions limitations and restrictions said trustees shall have power to hold purchase sell assign transfer or dispose of any of the securities and investments in said funds as well as the proceeds of said investments and of the moneys belonging to said fund

The board shall annually allow regular interest on the mean account for the preceding year to the credit of each of the accounts created in accordance with the pro-

visions of this act the amount so allowed shall be credited to each contributor's account

**Section 9 Membership** Each elected officer may and each appointed county employe shall be required to become a member of the retirement system established under the provisions of this act as of the date the same is established or when such county employe first becomes an employe if after such retirement system is established Those becoming members when the retirement system is originally established shall be known as original members and those entering county employment thereafter as new members Provided however That if any person who becomes a county employe subsequent to the time the system was established shall at any time theretofore have been a county employe he shall receive credit for the service prior to the time the system was established and be known as an original member

**Section 10 County Guarantee Annual Budgets** The regular interest charges payable and the creation and maintenance of the necessary reserves for the payment of the county and members' annuities in accordance with this act are hereby made obligations of the county The board shall prepare and submit to the county commissioners on or before the first day of November of each year an itemized estimate of the amounts necessary to be appropriated by the county to complete the payment of the obligations of the county during the next fiscal year

**Section 11 Service Allowance** In computing the length of service of a contributor for retirement purposes full credit shall be given to each original member for each year of service rendered to the county prior to the time the system became effective As soon as practicable the board shall issue to each original member a certificate certifying the aggregate length of his prior service unless thereafter modified by the board upon application of the member The time during which a member is absent from service without pay shall not be counted in computing the service of a contributor unless allowed by the board

**Section 12 Superannuation Retirement Allowance** Any contributor who has reached superannuation retirement age may retire for superannuation by filing with the board a written statement duly signed by the contributor setting forth at what time he desires to be retired Said application shall retire said contributor at the time so specified

On retirement for superannuation a beneficiary shall receive a retirement allowance 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 county annuity equal to one one-hundred-twentieth (1-120) of his average salary multiplied by each year of total service and in addition thereto in the case of an original member one one-hundred-twentieth (1-120) of his average salary multiplied by each year of prior service but the total county annuity shall never exceed fifty per centum of the average salary

**Section 13 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 representative 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

**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

Section 14 Involuntary Retirement Allowances Should a contributor be discontinued from service not voluntarily after having completed ten years of total service but before reaching superannuation retirement age he shall be paid as he may elect as follows (a) The full amount of the accumulated deductions standing to his credit in the members' annuity reserve account or (b) a member's annuity of equivalent actuarial value to his accumulated deductions standing to his credit in the members' annuity reserve account and in addition a county annuity having a value equal to the present value of a county annuity beginning at superannuation retirement age as provided in this act with respect to county 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 Total Disability Retirement Allowance If a contributor after five years of service as a county employe and before reaching superannuation retirement age is disabled while in service and is unable to continue as a county employe as shown by medical examination he shall be paid a retirement allowance consisting of a county annuity of twenty per centum of his average salary and 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

Section 16 Payment of Balances Where Disability Annuity Dies Should a person receiving a disability retirement allowance die before receiving total member's annuity payments equal to the amount standing to his credit in the member's annuity reserve accounts at the time of retirement there shall be paid to his estate or beneficiary the difference between such credit and the total member's annuity payments received

Section 17 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 except as otherwise provided in this act

Section 18 Refunds in Case of Withdrawal or Death Where a contributor's service has been terminated voluntarily or involuntarily and he has not become entitled to a retirement allowance under any of the provisions of this act or where a contributor has died prior to receiving a retirement allowance under any of the provisions of this act then the amount standing to the credit of the contributor in the members' annuity reserve account shall be paid to him or his estate or to the person named in any beneficiary certificate filed by the contributor with the board When a contributor or a beneficiary has died and there shall be due to the estate of such contributor or beneficiary a sum less than one hundred dollars and letters testamentary or of administration have not been taken out on the estate of such contributor or beneficiary within six months of death the board may pay the amount due on the claim of the undertaker or to any person or persons or political subdivision who or which shall have paid the claim of the undertaker

Section 19 No Simultaneous Payments of Salary and Retirement Allowances Should a person receiving a superannuation retirement allowance or an involuntary retirement allowance or a total disability retirement allowance be re-employed by the county the retirement allowance of such person shall immediately cease Such person shall thereupon be reinstated as a contributor and there shall be restored to his credit as accumulated deductions the actuarial value of his member's annuity computed as of the date of his re-employment.

Section 20 Exemption from Taxation and Execution Etc The right to a member's annuity or a county annuity or to the return of contribution shall be exempt from any State or municipal tax and from levy sale garnishment

attachment or any other process whatsoever and shall be unassignable

Section 21 Fraud Correction of Errors Any person who 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 shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or suffer imprisonment not exceeding one year or both in the discretion of the court

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

On the question,

Shall the bill pass finally?

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

YEAS—190

Achterman,	Foor,	Lovett,	Rose, W. E.,
Allmond,	French,	Lyons,	Rosenfeld,
Baker,	Gallagher,	Malloy,	Royer,
Balthaser,	Gates,	Marks,	Rush,
Baughner,	Gerard,	Maxwell,	Sarge,
Bentley,	Gillan,	McClanaghan,	Sarraf,
Bentzel,	Gillette,	McClester,	Schwab,
Boles,	Goodwin,	McDermott,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Skale,
Breth,	Haberlen,	McLane,	Snyder,
Pretherick,	Haines,	McMillen,	Sollenberger,
Brunner, C. H.,	Hall,	McSurdy,	Sorg,
Brunner P. A.,	Hamilton,	Meichiorre,	Stambaugh,
Burriss,	Hare,	Mihm,	Stine,
Cadwalader,	Harkins,	Modell,	Stockham,
Chervenak,	Harmuth,	Monks,	Tarr,
Chudoff,	Harris,	Mooney,	Tate,
Cochran,	Heatherington,	Moran,	Taylor,
Cohen, M. M.,	Helm,	Moul,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Mulr,	Thompson, R. L.,
Cooper,	Hersch,	Munley,	Trout,
Cordier,	Hewitt,	Nagel,	Turner,
Corrigan,	Hirsch,	Nunemacher,	Van Allsburg,
Croop,	Huntley,	O'Brien,	Vincent,
Cullen,	Imbrle,	O'Connor,	Vogt,
Dalrymple,	James,	O'Mullen,	Voldow,
Dennison,	Jefferson,	O'Neill,	Wagner,
Digenova,	Jones, G. E.,	Owens,	Watkins,
Dix,	Jones, P. N.,	Petrosky,	Weingartner,
Dolon,	Keenan,	Pettit,	Weiss,
D'Ortona,	Kenehan,	Polaski,	Weish, E. B.,
Duffy,	Kline,	Polen,	Weish, M. J.,
Early,	Knoble,	Powers,	Wilkinson,
Elder,	Kolankiewicz,	Prosen,	Williams,
Elliott,	Komorofski,	Rank,	Winner,
Ely,	Krise,	Rausch,	Wood, L. H.,
Falkenstein,	Lee, E. A.,	Readinger,	Wood, N.,
Finestone,	Lee, T. H.,	Reagan,	Woodring,
Finnerty,	Leisey,	Reese, D. P.,	Woodside,
Fisher,	Leonard,	Reese, R. E.,	Wright,
Fiss,	Lesko,	Reynolds,	Yeakel,
Fleming,	Levy,	Rhea,	Yester,
Fletcher,	Leydic,	Rooney,	Young,
Flynn,	Lichtenwalter,	Rose, S.,	Kilroy, Speaker
	Longo,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,



The House proceeded to the consideration on final passage of House Bill No. 1022, entitled:

An Act to amend section thirteen and to further amend section eighteen of the act approved the eleventh day of May one thousand nine hundred and twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" permitting certain dogs to be brought into the Commonwealth under certain conditions for hunting purposes by holders of non-resident hunting licenses without securing a Pennsylvania dog license where the home states of such non-residents afford a similar exemption to residents of Pennsylvania

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

Section 1 Section thirteen of the act approved the eleventh day of May one thousand nine hundred and twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" is hereby amended to read as follows

Section 13 Any person may bring or cause to be brought into the State for a period of thirty days one or more dogs for show trial or breeding purposes without securing such license and any person holding a Pennsylvania non-resident hunting license may without securing a license or licenses therefor bring or cause to be brought into the State one or more dogs for the purpose of hunting game during any hunting season when hunting with dogs is permitted by law if a similar exemption from the necessity of securing dog licenses is afforded for hunting purposes to residents of Pennsylvania by the state of such person's residence Provided however That each dog is equipped with a collar bearing a name plate giving the name and address of the owner

[This section does not apply to dogs used [during the hunting season for hunting game or] temporarily for breeding trial or show nor for the transportation of dogs for [hunting] breeding trial or show purposes the home county license holding good for such purposes throughout the Commonwealth]

Section 2 Section eighteen of said act as amended by the act approved the sixth day of May one thousand nine hundred and twenty-seven (P. L. 833) is hereby further amended to read as follows

Section 18 On and after the fifteenth day of January

one thousand nine hundred and twenty-two it shall be unlawful for any person to own or keep any dog six months old or over unless such dog is licensed by the treasurer of the county in which the dog is kept and unless such dog at all times wears the collar and tag provided for by this act unless such dogs are temporarily brought into the State for breeding hunting trial or show purposes as hereinbefore provided

On the question,  
Shall the bill pass finally?

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

## YEAS—190

Achterman,	Foor,	Lovett,	Rose, W. E.
Allmond,	French,	Lyons,	Rosenfeld,
Auker,	Gallagher,	Malloy,	Royer,
Baker,	Gates,	Marks,	Rush,
Balthaser,	Gerard,	Maxwell,	Sarge,
Baughner,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott,	Serrill,
Boles,	Gross,	McFall,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gyger,	McKinney,	Simons,
Bower,	Habbyshaw,	McLanahan,	Skale,
Bradley,	Haberlen,	McLane,	Snyder,
Breth,	Haines,	McMillen,	Sollenberger,
Bretherick,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stine
Burriss,	Harkins,	Modell,	Stockham,
Ca'walader,	Harmuth,	Monks,	Tarr,
Chervenak,	Harris,	Mooney,	Tate,
Chudoff,	Heatherington,	Moran,	Taylor,
Cochran,	Helm,	Moul,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Muir,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Munley,	Trout,
Cooper,	Hewitt,	Nagel,	Turner,
Cordier,	Hirsch,	Nunemacher,	VanAllsburg,
Corrigan,	Huntley,	O'Erienn,	Vincent,
Croop,	Imbrie,	O'Connor	Vogt,
Cullen,	James,	O'Mullen,	Voldow,
Dalrymple,	Jefferson,	O'Neill,	Wagner,
Dennison,	Jones, G. E.,	Owens,	Watkins,
DiGenova,	Jones, P. N.,	Petrosky,	Weingartner,
Dix,	Keenan,	Pettit,	Weiss,
Dolon,	Kenehan,	Polaski,	Welsh, E. B.,
D'Ortona,	Kline,	Polen,	Welsh, M. J.,
Duffy,	Knoble,	Powers,	Wilkinson,
Early,	Kolankiewicz,	Prosen,	Williams,
Elder,	Komorowski,	Rank,	Winner,
Elliott,	Krise,	Rausch,	Wood, L. H.,
Ely,	Lee, E. A.,	Readinger,	Wood, N.,
Falkenstein,	Lee, T. H.,	Reagan,	Woodring,
Finestone,	Lelsey,	Reese, D. P.,	Woodside,
Finnerty,	Leonard,	Reese, R. E.,	Wright,
Fisher,	Lesko,	Reynolds,	Yeakel,
Fiss,	Levy,	Rhea,	Yester,
Fleming,	Leydic,	Rooney,	Young,
Fletcher,	Lichtenwalter,	Rose, S.,	Kilroy, Speaker
Flynn,	Longo,		

## NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1820, (Senate Bill No. 1017), entitled:

An Act to amend section one of the act approved the fifteenth day of May one thousand eight hundred and seventy-four (P. L. 186) entitled "An act declaring what offices are incompatible" by specifically exempting persons serving in the armed forces of the United States during any war or state of emergency



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

Section 1 Section one of the act approved the fifteenth day of May one thousand eight hundred and seventy-four (P. L. 186) entitled "An act declaring what offices are incompatible" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person who shall hold any office or appointment of profit or trust under the government of the United States whether [a] [commissioned] an officer [or otherwise] a subordinate officer or agent who is or shall be employed under the legislative executive or judiciary departments of the United States and also every member of congress is hereby declared to be incapable of holding or exercising at the same time the office or appointment of justice of the peace notary public mayor recorder burgess or alderman of any city corporate town or borough resident physician of the lazaretto constable judge inspector or clerk of election under this Commonwealth Provided however That the provisions hereof shall not apply to any person who shall enlist enroll or be called or drafted into the active military or naval service of the United States or any branch or unit thereof during any war or emergency as hereinafter defined

Section 2 As used in this act the term "war" shall mean the period between the opening and ending of hostilities and shall not include the period after the ending of hostilities notwithstanding the fact that no treaty of peace has been negotiated or concluded and the term "emergency" shall mean the period between a declaration that a state of emergency exists and a declaration that the state of emergency has been terminated

Section 3 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

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

YEAS—190

- |                 |                |              |                  |
|-----------------|----------------|--------------|------------------|
| Achterman,      | Flynn,         | Longo,       | Rose, S.         |
| Allmond,        | Foor,          | Lovett,      | Rose, W. E.,     |
| Auker,          | French,        | Lyons,       | Rosenfeld,       |
| Bake,           | Gallagher,     | Malloy,      | Royer,           |
| Balthaser,      | Gates,         | Marks,       | Rush,            |
| Baughner,       | Gerard,        | Maxwell,     | Sarge,           |
| Bentley,        | Gillan,        | McClanaghan, | Sarrafi,         |
| Bentzel,        | Gillette,      | McClester,   | Schwab,          |
| Boles,          | Goodwin,       | McDermott,   | Serrill,         |
| Boney,          | Gross,         | McFall,      | Shaffer,         |
| Boorse,         | Gryskewicz,    | McIntosh,    | Sisaw,           |
| Bower,          | Gyger,         | McKinney,    | Simons,          |
| Bradley,        | Habbyshaw,     | McLanahan,   | Skale,           |
| Breth,          | Haberlen,      | McLane,      | Snyder,          |
| Bretherick,     | Haines,        | McMillen,    | Sollenberger,    |
| Brunner, C. H., | Hall,          | McSurdy,     | Sorg,            |
| Brunner, P. A., | Hamilton,      | Melchiorre,  | Stambaugh,       |
| Burriss,        | Hare,          | Mihm,        | Stine,           |
| Cadwalader,     | Harkins,       | Modell,      | Stockham,        |
| Chervenak,      | Harmuth,       | Monks,       | Tarr,            |
| Chudoff,        | Harris,        | Mooney,      | Tate,            |
| Cochran,        | Heatherington, | Moran,       | Taylor,          |
| Cohen, M. M.,   | Helm,          | Moul,        | Thompson, E. F., |
| Cohen, R. E.,   | Herman,        | Muir,        | Thompson, R. L., |
| Cooper,         | Hersch,        | Munley,      | Trout,           |
| Cordler,        | Hewitt,        | Nagel,       | Turner,          |
| Corrigan,       | Hirsch,        | Nunemacher,  | Van Allsburg,    |
| Croop,          | Huntley,       | O'Brien,     | Vincent,         |
| Cullen,         | Imbrie,        | O'Connor,    | Voldow,          |
| Dalrymple,      | James,         | O'Mullen,    | Wagner,          |
| Dennison,       | Jefferson,     | O'Neill,     | Watkins,         |
| DiGenova,       | Jones, G. E.,  | Owens,       | Weingartner,     |
| Dix,            | Jones, P. N.,  | Petrosky,    | Welsh,           |
| Dolon,          | Keenan,        | Pettit,      | Welsh, E. E.,    |
| D'Ortona,       | Kenehan,       | Polaski,     | Welsh, M. J.,    |
| Duffy,          | Kline,         | Polen,       | Wilkinson,       |
| Early,          | Knoble,        | Powers,      | Williams,        |
| Elder,          | Kolankiewicz,  | Prosen,      | Winner,          |
|                 | Komorofski,    | Rank,        | Wood, L. H.,     |

- |              |                |               |                  |
|--------------|----------------|---------------|------------------|
| Elliott,     | Krise,         | Rausch,       | Wood, N.,        |
| Ely,         | Lee, E. A.,    | Readinger,    | Woodring,        |
| Falkenstein, | Lee, T. H.,    | Reagan,       | Woodside,        |
| Finestone,   | Lelsey,        | Reese, D. P., | Wright,          |
| Finnerty,    | Leonard,       | Reese, R. E., | Yeakel,          |
| Fisher,      | Lesko,         | Reynolds,     | Yester,          |
| Fiss,        | Levy,          | Rhea,         | Young,           |
| Fleming,     | Leydic,        | Rooney,       | Kilroy, Speaker. |
| Fletcher,    | Lichtenwalter, |               |                  |

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 811

Mr. ACHTERMAN, Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 811, Printer's No. 1038.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 811, entitled, as amended:

"An act regulating under permit, through the Pennsylvania Liquor Control Board, the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, rectification, blending, recovery, reuse, holding in bond, holding in storage by bailees for hire, and transportation for hire, of any alcohol, alcoholic liquid or alcoholic beverage, by certain persons; requiring the registration of Federal permits; also providing for fees and the disposition thereof, and for appeals to the courts also authorizing the inspection of the records of permittees and purchasers of said alcohol, alcoholic liquid, and alcoholic beverages; also declaring certain places nuisances and providing for their abatement; also providing penalties; and also repealing all acts or parts of acts inconsistent with this act."

Respectfully submit the following bill as our report:

- LOUIS H. FARRELL  
 JOSEPH ZIESENHEIM  
 FRANK W. RUTH  
 (Committee on the part of the Senate)
- JULIAN POLASKI  
 JOHN E. VAN ALLSBURG  
 JAMES E. LOVETT  
 (Committee on the part of the House of Representatives)

An Act to amend section three of the act approved the nineteenth day of February one thousand nine hundred and twenty-six (P. L. 16) entitled as amended "An act regulating under permit through the Pennsylvania Liquor Control Board the manufacture production distillation development use in manufacture denaturization redistillation rectification blending recovery reuse holding in bond holding in storage by bailees for hire and transportation for hire of any alcohol alcoholic liquid or alcoholic beverage by certain persons requiring the registration of Federal permits also providing for fees and the disposition thereof and for appeals to the courts also authorizing the inspection of the records of permittees and purchasers of said alcohol alcoholic liquid and alcoholic beverages also declaring certain places nuisances and providing for their abatement also providing penalties and also re-

pealing all acts or parts of acts inconsistent with this act" further providing for the rights of manufacturers of wine

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

Section 1 Section three of the act approved the nineteenth day of February one thousand nine hundred and twenty-six (P. L. 16) entitled as amended "An act regulating under permit through the Pennsylvania Liquor Control Board the manufacture production distillation development use in manufacture denaturization redistillation rectification blending recovery reuse holding in bond holding in storage by bailees for hire and transportation for hire of any alcohol alcoholic liquid or alcoholic beverage by certain persons requiring the registration of Federal permits also providing for fees and the disposition thereof and for appeals to the courts also authorizing the inspection of the records of permittees and purchasers of said alcohol alcoholic liquid and alcoholic beverages also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" as last amended by the act approved the eighteenth day of July one thousand nine hundred and thirty-five (P. L. 1283) and section three of the act approved the sixteenth day of June one thousand nine hundred and thirty-seven (P. L. 1811) is hereby further amended to read as follows

Section 3 It shall be unlawful for any person without a license from the Commonwealth obtained as hereinafter provided except as exempted by section five hereof to manufacture produce distill develop or use in the process of manufacture denature redistill recover rectify blend reuse hold in bond hold in storage as bailee for hire or transport for hire within this Commonwealth any alcohol or alcoholic liquid except that a person may manufacture wine out of grapes grown in Pennsylvania by fermentation only and with no alcohol or alcoholic product added thereto by way of fortification, and sell the same to a [permit-holding] licensed winery or to Pennsylvania State Stores or to distributors or importing distributors holding special licenses under the "Beverage License Law" and its amendments upon the filing by such manufacturer of a bond in the penal sum of five hundred dollars (\$500) and the securing of a [permit] license at a fee of twenty dollars (\$20) per annum The bond and [permit] license shall be under the same terms and provisions as other bonds and [permits] licenses provided for by this act [Any person may manufacture wine out of grapes grown by him without a permit or without filing a bond for the purpose of selling the same to a permit-holding winery or to Pennsylvania State Stores]

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

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

## YEAS—190

Achterman,	Foor,	Longo,	Rose, S.,
Allmond,	French,	Lovett,	Rose, W. E.,
Auker,	Gallagher,	Lyons,	Rosenfeld,
Baker,	Gates,	Malloy,	Royer,
Balthaser,	Gerard,	Marks,	Rush,
Baughner,	Gillan,	Maxwell,	Sarge,
Bentley,	Gillette,	McClanaghan,	Sarra,
Bentzel,	Goodwin,	McClester,	Schwab,
Boles,	Gross,	McDermott,	Serrill,
Boney,	Gryskewicz,	McFall,	Shaffer,
Boorse,	Cyger,	McIntosh,	Shaw,
Bower,	Habbyshaw,	McKinney,	Simons,
Bradley,	Haberlen,	McLanahan,	Skale,
Breth,	Haines,	McLane,	Snyder,
Bretherick,	Hall,	McMillen,	Sollenberger,
Brunner, C. H.,	Hamilton,	McSurdy,	Sorg,
Brunner, P. A.,	Hare,	Melchiorre,	Stambaugh,

Burris,	Harkins,	Mihm,	Stine,
Cadwalader,	Harmuth,	Modell,	Stockham,
Chervenak,	Harris,	Monks,	Tarr,
Chudoff,	Heatherington,	Mooney,	Tate,
Cochran,	Helm,	Moran,	Taylor,
Cohen, M. M.,	Herman,	Moul,	Thompson, E. F.,
Cohen, R. E.,	Hersch,	Muir,	Thompson, R.,
Cooper,	Hewitt,	Munley,	Trout,
Cordier,	Hirsch,	Nagel,	Turner,
Corrigan,	Huntley,	Nunemacher,	Van Allsburg,
Croop,	Imbrie,	O'Brien,	Vincent,
Cullen,	James,	O'Connor,	Voldow,
Dalrymple,	Jefferson,	O'Mullen,	Wagner,
Dennison,	Jones, G. E.,	O'Neill,	Watkins,
DiGenova,	Jones, P. N.,	Owens,	Weingartner,
Dix,	Keenan,	Petrosky,	Weiss,
Dolon,	Kenehan,	Pettit,	Welsh, E. B.,
D'Ortona,	Kline,	Polaski,	Welsh, M. J.,
Duffy,	Knoble,	Polen,	Wilkinson,
Early,	Kolankewicz,	Powers,	Williams,
Elder,	Komorofski,	Prosen,	Wlner,
Elliott,	Krise,	Rank,	Wood, L. H.,
Ely,	Lee, E. A.,	Rausch,	Wood, N.,
Falkenstein,	Lee, T. H.,	Readinger,	Woodring,
Finestone,	Leisey,	Reagan,	Woodside,
Finnerty,	Leonard,	Reese, D. P.,	Wright,
Fisher,	Lesko,	Reese, R. E.,	Yeakel,
Fiss,	Levy,	Reynolds,	Yester,
Fleming,	Leydic,	Rhea,	Young,
Fletcher,	Lichtenwalter,	Rooney,	Kilroy, Speaker
Flynn,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILLS ON THIRD READING  
MADE SPECIAL ORDER

Mr. READINGER. Mr. Speaker, I move that all House Bills on Third Reading in their numerical order be made a special order of business immediately.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection House Bill No. 1002, Printer's No. 341, House Bill No. 990, Printer's No. 275, House Bill No. 566, Printer's No. 898, House Bill No. 1638, Printer's No. 816, and House Bill No. 1640, Printer's No. 818, was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1639, entitled:

An Act to further amend the title and the act approved the second day of June one thousand nine hundred and 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 making the schedules of compensation compulsory upon all employers providing that the State Workmen's Insurance Fund shall be the sole agency in which the payment of compensation may be insured providing for the termination of existing workmen's compensation insurance contracts issued by other agencies eliminating provisions relating to self-insurance and repealing certain sections and subsections.

On the question,

Will the House agree to the bill on third reading?

Mr. ACHTERMAN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, lines 10 to 15 of title, by striking out the following: "Providing that" in line 10, and all of lines 11 to 15, both inclusive.

Amend title, page 2, lines 1 and 2 of title, by striking out both of said lines.

Amend bill, page 2, by inserting between lines 18 and 19, the following: "Section 2. The article heading of article two of said act, as last reenacted and amended by the act, approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 520), is hereby further amended to read as follows:

#### ARTICLE II

##### DAMAGES BY ACTION AT LAW ABOLISHED

Section 3. Sections two hundred and one, two hundred and two, and two hundred and three of said act, as last reenacted and amended by the act, approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 520), are hereby repealed.

Amend Sec. 2, page 2, line 19, by striking out the figure "2" and inserting in lieu thereof: "4".

Amend Sec. 2, page 2, lines 19 to 21, by striking out the following: "subsection (a) of section three hundred one and subsection (a) of section three hundred two".

Amend Sec. 2, page 2, line 24, by striking out the word "are" and inserting in lieu thereof: "is".

Amend bill, page 3, by inserting between lines 12 and 13, the following:

Section 5. The article heading of article three, subsection (a) of section three hundred and one, and subsection (a) of section three hundred and two of said act, as last reenacted and amended by the act, approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 520), are hereby further amended to read as follows:

#### ARTICLE III

##### [Elective] Compulsory Compensation

Amend Sec. 3, page 5, line 15, by striking out the figure "3" and inserting in lieu thereof: "6".

Amend Sec. 4, page 5, lines 21 to 25, both inclusive, by striking out all of said lines.

Amend Sec. 4 (Sec. 305), page 5, lines 26 to 28, both inclusive, by striking out all of said lines.

Amend Sec. 4 (Sec. 305), page 6, lines 1 to 29, both inclusive, by striking out all of said lines.

Amend Sec. 4 (Sec. 305), page 7, lines 1 to 28, both inclusive, by striking out all of said lines.

Amend Sec. 4 (Sec. 305), page 8, lines 1 to 7, both inclusive, by striking out all of said lines, and inserting in lieu thereof:

Section 7. Section five hundred and two of said act, as last reenacted and amended by the act, approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 520), is hereby further amended to read as follows:

Section 502. If any provision of this act shall be held by any court to be unconstitutional, such judgment shall not affect any other section or provision of this act. [except that articles two and three are hereby declared to be inseparable and as one legislative thought, and if either article be declared by such court void or inoperative in an essential part, so that the whole of such article must fall, the other article shall fall with it and not stand alone.]

Amend Sec. 5, page 8, line 8, by striking out the figure "5" and inserting in lieu thereof: "8".

Amend Sec. 6, page 8, line 10, by striking out the figure "6" and inserting in lieu thereof: "9".

The SPEAKER. Will the House give unanimous con-

sent to the offering of amendments at this time? Is there objection, The Chair hears none.

On the question,

Will the House agree to the amendments?

The amendments were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1365, as follows:

An Act to amend the act approved the first day of May one thousand nine hundred and 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 variously amended authorizing the Secretary of Revenue to establish a system of permanent registration of vehicles and further regulating the operation of vehicles and the suspension of registrations and operating privileges giving the Pennsylvania Turnpike Commission power to regulate traffic on turnpikes extending the time limit for cities of the second class A to make certain changes in traffic signals extending the liability of political subdivisions to include negligent operation of their vehicles drawn by animal power amplifying and changing provisions of said act relating to lighting signal and warning devices redefining the term dealer further regulating dealers in junked vehicles permits for oversize and overweight vehicles use of school buses registration plates and cards maximum size of vehicles and medical examinations by physicians providing for payment of certain fees by counties limiting and providing new exemptions from the various provisions of said act giving additional authority to peace officers and department employes in the matter of investigations further regulating prosecutions giving certain powers to local authorities for the regulation of traffic and the establishment of traffic courts changing and fixing additional fees changing and imposing new penalties giving the secretary additional powers and duties imposing additional duties on keepers and employers of garages and repair shops providing refunds to certain persons entering Federal services and making an appropriation

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

Section 1 Section one hundred and two of the act approved the first day of May one thousand nine hundred and 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 encum-

branches 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 and thirty-nine (P. L. 1135) is hereby further amended 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

"Approved" Having been favorably passed upon by the secretary as suitable for the purpose designed

"Auxiliary Driving Lamp" A complete road illuminating device [in addition to or supplementing the head lamps] located upon the front of a motor vehicle and intended for use in pairs instead of the head lamps or singly in conjunction with the head lamps

"Bicycle with Motor Attached" Every vehicle except a motorcycle as herein defined which is self-propelled by an engine not exceeding four (4) horsepower

"Business District" The territory contiguous to a highway when fifty (50) per cent or more of the frontage thereon for a distance of three hundred (300) feet or more is occupied by buildings in use for business

"Chassis" The chassis of a motor vehicle to be propelled by an internal combustion or steam engine shall consist of an assembly of all essential parts with protective housings ready for operation on the highway including as minimum equipment a set of tires attached to wheels driver's seat including cab front wheel fenders running board or mounting step tool compartment priming coat on all parts to be painted pair of front lamps and one rear lamp license brackets jack and a set of tools commonly used for making adjustments and minor repairs on the highway water oil and fuel

"Clearance Lamp" A lamp or lamps arranged to mark the extreme sides of the motor vehicle and so arranged to show white green or amber to the front and red to the rear

"Commercial Motorcycle" Every motorcycle designed to travel on three wheels in contact with the ground and designed for carrying freight merchandise implements or articles of any kind or service in connection with calling for and delivering automobiles to patrons

"Commercial Motor Vehicle" Any motor vehicle designed for carrying freight or merchandise Provided however That a motor vehicle originally designed for passenger transportation to which has been added a removable box body without materially altering said motor vehicle when owned and used by a farmer shall not be deemed a "commercial motor vehicle" for the purpose of this act And further provided That any motor vehicle of the bus type operated under contract with or owned by any school district of this Commonwealth for the transportation of school children shall be deemed a "commercial motor vehicle"

"Crosswalk" That portion of a highway ordinarily included within the prolongation of curb and property lines at intersections or any portion of a highway clearly indicated for pedestrian crossing by lines or other markings on the surface

"Cushion Rubber Tire" A tire molded on a steel base having a longitudinal cavity running circumferentially at the center line of the tire extending from its base with a height of no less than one half the overall standing

height of the time such tires when new being no less than four and one-half (4½) inches high over all including steel base

"Dealer" [Any person firm corporation or association engaged in the purchase and sale of motor vehicles trailers and semi-trailers and who has an established place of business or any person regularly engaged in the business of transporting new vehicles on their own wheels and who has an established place of business] (1) A person actively and principally engaged in and devoting a substantial portion of his time to the business of buying selling or exchanging new motor vehicles trailers or semi-trailers on commission or otherwise who maintains a salesroom or garage devoted exclusively to the motor vehicle business and who holds a contract in writing with a manufacturer giving such person selling rights for new motor vehicles trailer or semi-trailers or with a jobber of such vehicles who as such jobber holds a manufacturer's franchise or contract giving selling rights on new motor vehicles trailers or semi-trailers in this Commonwealth or (2) a person actively and principally engaged in and devoting a substantial portion of his time to the business of buying selling or exchanging used motor vehicles trailers or semi-trailers and who maintains a salesroom garage or used car lot actually occupied by such person either continuously or at regular intervals and upon which or adjacent thereto is a building owned or rented by such person where his books and records are kept and which is devoted exclusively to the motor vehicle business in which the repair of motor vehicles is subordinate or incidental to the business of buying selling or exchanging the same or (3) any person regularly engaged in the business of transporting new motor vehicles trailers or semi-trailers on their own wheels and who has an established place of business or (4) a person who is duly authorized to do business in this Commonwealth and is actively engaged in the business of financing sales or making loans on security of motor vehicles Provided however That a person entitled to dealer registration under clause (3) hereof may only use dealer's registration plates for the purpose of transporting new motor vehicles trailers or semi-trailers on their own wheels and a person entitled to dealer registration under clause (4) hereof may only use dealer's registration plates for the purpose of moving or operating a motor vehicle trailer or semi-trailer which he is repossessing or which after repossession he is moving for the purpose of repairing or having repaired demonstrating for sale or which he is moving for delivery to a bona fide purchaser in the regular course of his business

"Department" The Department of Revenue of this Commonwealth

"Emergency Brake" The means of applying braking effort to at least two (2) wheels on a motor vehicle normally operated by the operator's hand Provided however That where there are two (2) brakes both designed to be operated by the foot the one (1) equipped with a ratchet or other device for holding the brake in the applied position shall be considered the "Emergency Brake" and the requirements shall be the same as herein set forth

"Essential Parts" All integral parts and body parts the removal alteration or substitution of which will tend to conceal the identity or substantially alter the appearance of the vehicle

"Explosives" Any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion that contains any oxidizing and combustible units or other ingredients in such proportions quantities or packing that any ignition by fire by friction by concussion by percussion or by detonator or any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb

"Flammable Liquid" Any liquid which has a flash point of seventy degree Fahrenheit or less as determined by a tabliabue or equivalent closed cup test device

"Fog or Adverse Weather Lamps" A complete road illuminating device mounted in pairs upon the front of

a motor vehicle and intended for use only during adverse weather conditions

"Foreign Vehicles" Every motor vehicle trailer or semi-trailer which shall be brought into this Commonwealth otherwise than in the ordinary course of business by or through a manufacturer or dealer and which has not been registered in this Commonwealth

"Gross Weight" The combined weight of the vehicle or combination of vehicles and its or their load or loads exclusive of the operator

"Headlamp" A complete road illuminating device located upon the front of a motor vehicle the rays from which are projected forward other than a sidelight clearance lamp auxiliary driving lamp fog or adverse weather lamp searchlight or spot lamp

"Highway" Every way or place of whatever nature open to the use of the public as a matter of right for purposes of vehicular travel The term "highway" shall not be deemed to include a roadway or driveway upon grounds owned by private persons colleges universities or other institutions

"Intersection" The area embraced within the prolongation of the lateral curb lines or if none then the lateral boundary lines of two or more highways which join one another at an angle whether or not one such highway crosses the other

"Jobber" Any person firm corporation or association engaged in the purchase and sale of new motor vehicles trailers or semi-trailers and their sale directly to dealers

"Learner's Permit" A permit issued to any person to learn to operate a motor vehicle or tractor

"License Plate Lamp" A lamp designed to illuminate the rear registration plate with a white light without directing the white light to the rear It may be separate from or in combination with the rear lamp

"Local Authorities" Every county municipal and other local board or body having authority to adopt local police regulations under the Constitution and laws of this Commonwealth

"Magistrate" A mayor burgess magistrate alderman justice of the peace or other officer having the powers of a committing magistrate

"Manufacturer" Every person engaged in the business of manufacturing motor vehicles trailers semi-trailers motors or bodies of such vehicles

"Mechanical Signal" A movable device operated mechanically or by the driver and so constructed and arranged as to give a cautionary or direction signal to the front and rear

"Metal Tires" All tires the surface of which in contact with the highway is wholly or partly metal or other hard non-resilient material

"Motor Bus" Shall include all motor vehicles operated for the carriage of passengers for hire by individuals associations copartnerships or corporations required under the laws of this Commonwealth to obtain certificate of public convenience from the Public Utility Commission of the Commonwealth of Pennsylvania before engaging in the carriage of passengers for hire or by individuals associations copartnerships or corporations who or which were engaged in the business of carrying passengers for hire as common carriers prior to the first day of January one thousand nine hundred and fourteen

"Motorcycle" Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground except any such vehicle as may be included within the term "tractor"

"Motor Omnibus" Shall include all motor vehicles operated for the carriage of passengers for hire by individuals associations copartnerships or corporations who or which were not engaged in the carriage of passengers for hire as common carriers prior to the first day of January one thousand nine hundred and fourteen and who or which are not required under the laws of this Commonwealth to obtain from the Public Utility Commission of the Commonwealth of Pennsylvania certificate of public convenience for the carriage of passengers for hire or motor vehicle of the bus type not operated for the carriage of passengers for hire except as herein provided This definition shall not include or apply to any motor vehicle operated under contract with any school district

of this Commonwealth for the transportation of school children such motor vehicles to come within the definitions of commercial motor vehicles or motor vehicles

"Motor Vehicles" Every vehicle as herein defined which is self-propelled except tractors power shovels road rollers agricultural machinery and vehicles which move upon or are guided by a track or travel through the air

"New Motor Vehicle" Every motor vehicle which is not defined as a reconstructed rebuilt or used motor vehicle

"Nonresident" Any person not a resident of this Commonwealth

"Obscured Registration Plate" Every registration plate the characters on which are not legible in daylight at a distance of fifty (50) feet from the front or rear of the motor vehicle on the line of the axis of the vehicle on an approximately level stretch of highway

"Operator" Every person who is in actual physical control of a motor vehicle or tractor upon a highway

"Operator's License" The license issued to any person to operate a motor vehicle or tractor

"Overtake" A vehicle or combination of vehicles shall be deemed to overtake another vehicle or combination of vehicles when all of the vehicle and its load or all of the combination of vehicles and their loads move so that any part of the vehicle or its load or any part of the combination of vehicles or their loads is opposite to or alongside of any other moving vehicle or its load or combination of vehicles or their loads being operated in the same direction as the overtaking vehicle or combination of vehicles

"Owner" A person or persons holding the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof or other like agreement with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee then such conditional vendee or lessee shall be deemed the owner for the purpose of this act

"Parking" The standing of a vehicle except police or fire department vehicle or ambulance whether occupied or not upon a highway otherwise than temporarily for the purpose and while actually engaged in loading or unloading or in obedience to traffic regulations or traffic signs or signals

"Parking Lamp or Clearance Lamp" A lamp or lamps so arranged to show white green or amber to the front and red to the rear

"Pass" A vehicle or combination of vehicles shall be deemed to pass another vehicle or combination of vehicles when all of the vehicle and its load or all of the combination of vehicles and their loads moves by or in advance of any moving vehicle and its load or combination of vehicles and their loads being operated in the same direction as the passing vehicle or combination of vehicles

"Passenger Seat" Each sixteen (16) inches of seating capacity in any motor omnibus or motor bus

"Peace Officer" A sheriff deputy sheriff constable member of the Pennsylvania Motor Police or other police officer vested with authority of arrest

"Pedestrian" Any person afoot

"Person" Every natural person firm copartnership association or corporation

"Pneumatic Tires" All tires inflated with compressed air

"Private Road or Driveway" Every road or drive not open to the use of the public for purposes of vehicular travel

"Railway Grade Crossing" Any set of tracks or rails of any steam gasoline or electric railway line which intersects or crosses any highway at the same level or grade of such highway except electric railway lines within cities boroughs or incorporated towns

"Rear Lamp" A lamp located upon the rear of a motor vehicle trailer or semi-trailer so arranged as to show red to the rear and which may or may not illuminate the rear registration plate with a white light

"Rebuilt Motor Vehicle" Every motor vehicle which shall have been assembled by using new parts and used



parts derived from other motor vehicles of the same make and rebuilt by the manufacturer thereof

"Reconstructed Motor Vehicle" Any motor vehicle which shall have been assembled or constructed largely by means of essential parts new or used derived from other motor vehicles or makes of motor vehicles of various names models and types or which if originally otherwise constructed shall have been materially altered by the removal of essential parts or by the addition or substitution of essential parts new or used derived from other motor vehicles or makes of motor vehicles

"Registration Card" Includes temporary registration card as well as other registration cards

"Registration Plates" Includes temporary registration plates as well as other registration plates

"Residence District" The territory contiguous to a highway not comprising a business district when the frontage on such highway for a distance of three hundred (300) feet or more is closely built up with dwellings or by dwellings and buildings in use for business

"Resident" Any person who has a regular place of abode or business in the Commonwealth for a period of more than thirty (30) consecutive days in the year except as otherwise provided in sections four hundred nine and six hundred three

"Right of Way" The privilege of the immediate use of the highway

"Safety Zone" The area of space officially set aside within a highway for the exclusive use of pedestrians and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set apart as a safety zone

"Secretary" The Secretary of Revenue of this Commonwealth

"Semi-trailer" Every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle

"Service Brake" The means of applying braking effort to at least two (2) wheels on a motor vehicle normally operated by the operator's foot

"Sidelights" Any lights upon a motor vehicle other than headlamp [or] auxiliary driving lamp [or] fog or adverse weather lamps signal lamp clearance lamp searchlight or spot lamp the rays of which project forward

"Sign" Any device mark marker board plate or other contrivance designed for the purpose of guiding traffic or informing of a traffic regulation

"Signal Lamp" A lamp located upon the side or rear of a motor vehicle so arranged to show red green or yellow to the rear as a cautionary signal

"Solid Rubber Tire" Every tire made of rubber other than a pneumatic tire or a cushion rubber tire

"Specially Constructed Vehicle" Any vehicle which shall not have been originally constructed under a distinctive name make model or type by a generally recognized manufacturer of vehicles

"Spot Lamp" An auxiliary illuminating device either fixed or movable intended to project a powerful concentrated beam of light

"State" A State territory organized or unorganized or district of the United States of America

"Street Car" Every device traveling exclusively upon rails when upon or crossing a highway other than railroad cars or trains

"Tractor" Every vehicle of the tractor type as defined in the Tractor Code

"Traffic" Pedestrians vehicles and street cars either singly or together while using any highway for purposes of travel

"Traffic Signal" Any device using words or colored lights or a combination thereof either manually or electrically controlled by which traffic is alternately directed to stop and go

"Trailer" Every vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle Provided That wagons or agricultural machinery drawn by either tractor truck or any other motor vehicle for agricultural purposes only shall not be included within such definition

and no fee shall be required to operate such vehicles on any public highway lying between any farm owned operated or leased by the person operating such vehicle

"Truck Tractor" Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn

"Used Motor Vehicles" Every motor vehicle which has been sold bargained exchanged given away or title transferred from the person who first acquired it from the manufacturer or jobber or dealer and so used as to have become what is commonly known as "second-hand" within the ordinary meaning thereof

"Vehicle" Every device in upon or by which any person or property is or may be transported or drawn upon a public highway excepting tractors agricultural machinery devices moved by human power or used exclusively upon stationary rails or tracks Provided That for the purpose of Article X of this act a bicycle or a ridden animal or a tractor or any other device moving upon wheels on a public highway except a device moving upon wheels upon stationary rails or tracks on a public highway shall be deemed a vehicle

Section 2 Section two hundred and ten of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended by adding thereto after subsection (j) a new subsection and amending the penalty clause to read as follows

Section 210 Destruction and Cancellation of Records of Certificates of Title Notice of Junking Motor Vehicles Records of Dealers in Junked Motor Vehicles

\* \* \* \*

(k) Every dealer in junked motor vehicles or other person engaged in the business of purchasing motor vehicles for the purpose of destruction or dismantling shall keep and maintain accurate records for a period of three years of the date of purchasing or acquiring any motor vehicle the name and address of the person from whom such motor vehicle was purchased or acquired the motor number the manufacturer's serial number the certificate of title number the date the motor vehicle was dismantled whether owner applied for and purchaser received a certificate of junk and the number thereof or whether certificate of title was assigned to a dealer and in such case the disposition thereof and if the motor vehicle was sold the name and address of the purchaser Every such dealer in junked motor vehicles shall allow full and free access to such records during regular business hours to duly authorized representatives of the department and to peace officers

Penalty Any person violating any of the provisions under subsections (b) (c) [or] (h) or (k) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 3 Subsection (d) and the penalty clause of section four hundred and nine and section four hundred and eleven of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) are hereby further amended to read as follows:

Section 409 Registration by Nonresidents Exemption of Nonresidents and Agreements with other States

\* \* \*

(d) Where provisions relating to the equipment size weight or construction of vehicles engaging in interstate commerce are included within or prohibited by any Federal law or regulation now existing or hereafter to be enacted or adopted the secretary shall have the authority to exempt from the operation of any or all of the provisions of articles eight and nine of this act any or all classifications of vehicles registered in this Commonwealth with such restrictions conditions and privileges or lack of them as he may deem advisable Provided however That such exemption shall be effective and applicable to a vehicle of any classification exempted as

aforesaid only so long as such Federal laws and regulations shall be complied with and such exemption shall cease to exist as to such vehicle upon any violation thereof and the operator and owner of such vehicle shall thereupon and until such time thereafter as the vehicle is put in compliance with the Federal law and regulations be subject to all provisions of articles eight and nine of this act. Vehicles so exempted shall be subject to the laws or regulations enacted or adopted by the Federal Government relating to the equipment size weight or construction of such vehicles to the same extent and with the same force and effect as if such laws or regulations were expressly set forth in this act. Prosecutions and arrests for violations of such laws or regulations shall be brought or made subject to the conditions herein described with the same limitations as is now or may hereafter be provided for other prosecutions and arrests made under this act.

Penalty Any person owning or operating a vehicle not registered in this Commonwealth in violation of the terms of any agreement made under of any of the provisions of this section or in the absence of any agreement shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days or suffer such other penalty as the secretary may prescribe under subsection (e) of this section.

#### Section 411 Transfer of Registration Temporary Registration Cards

(a) Upon transfer of ownership or the destruction of any motor vehicle trailer or semi-trailer the registration shall expire.

(b) When transfer of registration plates is made from one motor vehicle to another owned by the same person application shall be made immediately to the department upon a form furnished by the department accompanied by the transfer fee provided in this act when the motor vehicle trailer or semi-trailer is of equal or less horsepower or classification than that originally registered or accompanied by the transfer fee provided in this act and the difference between the fee originally paid and that due if the motor vehicle trailer or semi-trailer to which the registration plates are transferred be properly registered in a higher class. Such application shall also be accompanied by the owner's registration card if and when the secretary exercises his discretionary power to allow the use of temporary registration cards as herein-after provided.

(c) The application shall contain the full name and the actual or bona fide address of the owner together with the name manufacturer's serial number engine number the character of the motive power and the horsepower or seating capacity and in the case of a commercial motor vehicle the gross weight of the chassis as given and certified to by the manufacturer and in the case of electric commercial motor vehicles the gross maximum weight of chassis battery body and load as given and certified to by the manufacturer and in the case of trailers and semi-trailers the combined weight of the chassis and body and also such description of the motor vehicle trailer or semi-trailer including lamps and other equipment as the secretary shall require. The application shall be signed by the owner if a natural person and in the cases where the owner is a corporation copartnership or association by an executive officer thereof or some person specifically authorized by the said corporation copartnership or association to sign the same.

(d) When a transfer of registration is made the owner shall be given a transfer registration card and new registration number if transfer is made to another classification. Immediately upon receipt of such transfer registration card the owner shall return to the department the original registration card unless such card has been lost or destroyed.

(e) When a transfer of registration is made after a vehicle has been registered for the succeeding year and the transfer application has been received and com-

pleted by the department prior to [January] April first of such succeeding year the transfer fee provided in this act shall not be required.

(f) The secretary shall have the discretionary power to allow the use of temporary registration cards pending the receipt of an annual registration card from the department which shall be valid for all purposes of this act but which shall be void upon the receipt of an annual registration card. Temporary registration cards in the discretion of the secretary may be delivered to any notary public magistrate or dealer who shall have the authority to issue such temporary registration cards to any person upon the transfer of ownership of a motor vehicle. Provided however That the secretary shall have the authority to suspend the privilege of any such notary public magistrate or dealer to issue temporary registration cards and upon suspension of such privilege the secretary shall require the surrender of any temporary registration cards that such person shall have in his possession upon a finding by the secretary that such person has issued a temporary registration card containing a misstatement of fact or has issued a card in violation of any of the regulations promulgated by the secretary under authority of this subsection. Temporary registration cards shall set forth the name and address of the owner of the vehicle the registration number the make engine and manufacturer's number of the vehicle from which transfer of registration is desired and the make engine number and manufacturer's number of the vehicle that has been purchased the date of issuance of such temporary registration card and any other information that the secretary may require. The secretary shall have the power to make such rules and regulations not inconsistent herewith as he shall deem necessary for the purpose of carrying out the provisions of this subsection.

(g) It shall be unlawful for any notary public magistrate or dealer knowingly to issue a temporary registration card to any person containing any misstatement of fact.

(h) It shall be unlawful for any person making an application for transfer of registration or for any person authorized to present such application to fail to forward or cause to be forwarded to the department such application within forty-eight (48) hours after the transfer of registration plates is made from one motor vehicle to another owned by the same person.

Penalty Any person violating any of the provisions of subsections (b) [or] (d) (f) (g) or (h) of this section or any rule or regulation made by the secretary in accordance with subsection (f) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days.

Section 4 Article four of said act is hereby amended by adding thereto after section four hundred fifteen a new section to read as follows:

Section 416 Permanent Registration The secretary may in his discretion establish a system of permanent registration of vehicles in this Commonwealth and for that purpose the secretary shall have the power and authority to promulgate such rules and regulations not inconsistent herewith as he may deem necessary.

Section 5 Section five hundred and seven of said act is hereby amended to read as follows:

Section 507 Temporary Use of Registration Plates Pending Transfer After the transfer of registration plate or plates from a motor vehicle trailer or semi-trailer to another motor vehicle trailer or semi-trailer owned by the same owner the owner or operator shall not for a period of twenty (20) days be subject to a fine for the operation of the latter motor vehicle trailer or semi-trailer without the proper transfer registration card for the registration plate or plates displayed provided he shall have made application to the department as required in this act within forty-eight (48) hours after said transfer of registration plate or plates for transfer of the registration and provided he shall upon prosecution make an affidavit or testify under oath to that effect.



Section 6 Said act is hereby amended by adding thereto after section five hundred and ten a new section to read as follows:

**Section 511 Temporary Registration Plates**

(a) The secretary in his discretion and subject to the limitations and conditions hereinafter set forth may deliver temporary registration plates to dealers when the application therefor is accompanied by the fee prescribed in this act Such application shall be made upon a form prescribed and furnished by the department Dealers subject to the limitations and conditions hereinafter set forth may issue such temporary registration plates to owners of vehicles provided that such owners shall comply with the pertinent provisions of this section

(d) Every dealer who has made application for temporary registration plates shall maintain in permanent form a record of all temporary registration plates delivered to him and shall also maintain in permanent form a record of all temporary registration plates issued by him and in addition thereto shall maintain in permanent form a record of any other information pertaining to the receipt or the issuance of temporary registration plates that the secretary may require Each record shall be kept for a period of at least three years from the date of entry of such record Every dealer shall allow full and free access to such records during regular business hours to duly authorized representatives of the department and to peace officers

(c) Every person who issues temporary registration plates shall on the day that he issued such plates send to the department a copy of the temporary registration plate application properly executed by such dealer and the owner

(d) A person shall not issue assign transfer or deliver temporary registration plates to any one other than the bona fide purchaser or owner of the vehicle to be registered nor shall a person issue temporary registration plates unless previous to or at the same time that the dealer sends to the department a copy of the executed temporary registration plate application the owner has sent or sends a bona fide application for annual registration nor shall a person issue temporary registration plates to any one possessed of annual registration plates for a vehicle that has been sold or exchanged nor shall a person who has been convicted of a violation of section six hundred and twenty (j) of this act issue temporary registration plates to any person nor make application for or receive any temporary registration plates for the purpose of issuance to an owner nor shall a person who has been convicted of three or more violations of the provisions of this section make application for or issue any temporary registration plates nor shall a dealer lend to any one or use on any vehicle that he may own temporary registration plates It shall be unlawful for any person to issue any temporary registration plate or plates containing any misstatement of fact or knowingly to insert any false information upon the face thereof

(e) Every person who issues temporary plates shall affix or insert clearly and indelibly on the face of each temporary registration plate the date of issuance and expiration and the make and serial number of the vehicle for which issued

(f) Every person who makes application for temporary registration plates shall execute the temporary registration plate application and shall return such application to the dealer from whom the vehicle to be registered has been or will be purchased

(g) Every person who makes application for temporary registration plates shall execute and send an application for annual registration plates to the department previous to or at the same time that the dealer sends to the department a copy of the executed temporary registration certificate but in no event shall such application for annual registration plates be made later than the day on which the temporary registration plates are issued to such owner

(h) Every person to whom temporary registration plates have been issued shall permanently destroy such temporary registration plates immediately upon receiving the annual registration plates from the department Provided That if the annual registration plates are not re-

ceived within twenty (20) days of the issuance of the temporary registration plates the owner shall notwithstanding immediately upon the expiration of such twenty (20) day period permanently destroy the temporary registration plates

(i) Temporary registration plates shall expire and become void upon the receipt of the annual registration plates from the department or upon the recession of a contract to purchase a motor vehicle or upon the expiration of twenty (20) days from the date of issuance depending upon whichever event shall first occur No refund or credit of fees paid by dealers to the department for temporary registration plates shall be allowed except in the event that the secretary discontinues the issuance of temporary registration plates dealers returning temporary registration plates to the department may petition for refund or a credit thereof

(j) The secretary shall have the power to make such rules and regulations not inconsistent herewith as he shall deem necessary for the purpose of carrying out the provisions of this section

Penalty Any person violating any of the provisions of subsections (b) (c) or (e) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution for the first offense fifty (\$50) dollars and costs of prosecution for any subsequent offense and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days and upon conviction of a third offense no temporary registration plates shall thereafter be delivered to such person for the purpose of issuing such plates to an owner nor shall such person thereafter issue any temporary registration plates Any person violating any of the provisions of subsections (f) (g) or (h) of this section or any rule or regulation made by the secretary as hereinbefore provided shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution for the first offense and twenty-five (\$25) dollars and costs of prosecution for any subsequent offense and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 7 Said act is hereby amended by adding thereto after section six hundred seventeen a new section to read as follows:

**Section 617.1 Limited Operator's Licenses Should Be Issued Under Certain Circumstances** Notwithstanding any other provisions of this or any other law to the contrary any person whose operator's license has been revoked or suspended for reasons other than mental or physical infirmities or disabilities and who is required to operate a commercial motor vehicle motor bus motor omnibus or motor vehicle as a condition of or in connection with such operator's employment shall be issued an operator's license conferring the limited right to operate said commercial vehicle motor bus motor omnibus or motor vehicle as an operator in the course of such employment only

Any person having been issued a limited operator's license pursuant to the authority of this section who shall operate any vehicle contrary to the limitation thereof shall be subject to the penalties provided by this act for operating a motor vehicle without an operator's license

Any operator's license issued under the authority of this section shall be distinctly marked to show its limited use and the holder thereof shall be subject to all the provisions of this act relating to operator's licenses including penalties

Section 8 Section six hundred and nineteen of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) is hereby further amended to read as follows:

**Section 619 Counties and Municipalities Liable for Negligence of their Employes** Every county city borough incorporated town or township within this Commonwealth employing any person shall be jointly and severally liable with such person for any damages caused by the negligence of such person while operating a motor vehicle or fire department equipment or any vehicle

drawn by animal power upon a highway in the course of their employment and every city borough incorporated town and township shall also be jointly and severally liable with any member of a volunteer fire company of any such city borough incorporated town or township for any damages caused by the negligence of such member while operating a motor vehicle or fire department equipment used by or belonging to such volunteer fire company while going to attending or returning from a fire or while engaged in any other proper use of such motor vehicle or fire department equipment for such volunteer fire company

Section 9 Section six hundred and twenty of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) and as amended in part by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows:

Section 620 Violation of License Provisions It shall be unlawful for any person to commit any of the following acts

(a) To display or cause or permit to be displayed or to have in possession any operator's license or learner's permit knowing the same to be fictitious or to have been cancelled revoked suspended or altered

(b) To lend to or knowingly permit the use of by one not entitled thereto any operator's license or learner's permit issued to the person so lending or permitting use thereof

(c) To display or to represent as one's own any operator's license or learner's permit not issued to the person so displaying the same

(d) To fail or refuse to surrender to the department upon demand any operator's license learner's permit registration card registration plates certificate of title or duplicates thereof which have been suspended cancelled or revoked as provided in this act

(e) To make use of or operate any motor vehicle without the knowledge or consent of the owner or custodian thereof

(f) To operate a motor vehicle street car or trackless trolley omnibus while under the influence of intoxicating liquor or any narcotic drug or habit producing drug or permit any person who may be under the influence of intoxicating liquor or narcotic or habit producing drug to operate any motor vehicle owned by him or in his custody or control

(g) To turn off any or all the lights on a motor vehicle for the purpose of avoiding identification or arrest

(h) To operate any motor vehicle upon the highways of this Commonwealth after the operating privilege is suspended or revoked and before such operating privilege has been reinstated

(i) To operate any motor vehicle upon the highways of this Commonwealth after its registration has been suspended by the secretary

(j) To use a false or fictitious name or give a false or fictitious address in any application or form required under the provisions of this act or make a false statement or conceal a material fact or otherwise commit a fraud in any application

Penalty Any person violating any of the provisions of subsections (a) (b) (c) or (d) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Any person violating any of the provisions of subsection (j) or (k) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred (\$100) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than twenty (20) days

Any person violating any of the provisions of subsections (e) (f) (g) (h) or (i) of this section shall be guilty of a misdemeanor and shall upon conviction thereof in a court of quarter sessions be sentenced to pay a fine of not less than one hundred (\$100) dollars and not more than five hundred (\$500) dollars and costs of prosecution or undergo imprisonment for not more than three (3)

years or suffer both such fine and imprisonment

Section 10 Section seven hundred and two of said act as reenacted by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P L 751) is hereby amended to read as follows

Section 702 Motor Vehicles The fee for annual registration of motor vehicles except as provided in this act shall be at the rate of forty (40) cents for each horsepower or fractional part thereof Provided That the minimum fee payable for such annual registration shall be ten (\$10) dollars Provided further That the fee for the annual registration of any type of motor vehicle used exclusively in connection with the drilling of wells shall be ten (\$10) dollars

Section 11 Said act is hereby amended by adding thereto after section seven hundred and two a new section to read as follows

Section 702.1 Fee for Temporary Registration The fee for the temporary registration of motor vehicles shall be fifty (50c) cents for each set issued and dealers may purchase no less than five (5) sets of temporary registration plates at any one time

Section 12 Section seven hundred and twelve of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P L 1135) is hereby further amended to read as follows

Section 712 Lighting Equipment

(a) The fee for approval and registration of head lamps and auxiliary driving lamps shall be one hundred and fifty (\$150) dollars for each type approved

(b) The fee for approval and registration of rear lamps signal lamps reflectors flares electrical signal devices and mechanical signal devices shall be fifty (\$50) dollars for each type approved

(c) The fee for approval and registration incident to the renewal of a certificate of approval for head lamps shall be fifty (\$50) dollars

(e) The fee for approval and registration of vacuum or pressure hose for brake systems shall be twenty-five (\$25) dollars for each type approved

(f) The fee for approval and registration incidental to the renewal of a certificate of approval for vacuum or pressure hose for brake systems or lens shall be ten (\$10) dollars

(g) The fee for approval and registration of a hitch or coupling device shall be twenty-five (\$25) dollars for each type approved

(h) Certificates approving each type of hitch or coupling device hereafter issued by the secretary will not expire until revoked by the secretary

Section 13 Article seven of said act is hereby amended by adding thereto after section seven hundred and twenty-four a new section to read as follows

Section 725 Refunds to Certain Persons (a) All persons who under the provisions of this act have paid for the year one thousand nine hundred forty-one or for any year thereafter while the present national emergency exists fees for the registration of any motor vehicle and who have subsequent to such payment been inducted into the armed forces of the United States by virtue of the Selective Service Act or who have volunteered for service in the armed forces of the United States shall be entitled upon application to the Department of Revenue on forms to be prepared by the Department of Revenue to receive a refund of fifty per centum (50%) of the fee or fees which such persons have paid to the Department of Revenue provided such persons were inducted or enlisted prior to the fifteenth day of June one thousand nine hundred forty-one or of any year thereafter while the present national emergency exists All persons selected or enlisting after the fifteenth day of June one thousand nine hundred forty-one or of any year thereafter as aforesaid shall be entitled upon application to the Department of Revenue as aforesaid to a refund of twenty-five per centum (25%) of the fee or fees paid by such persons

The State Treasurer is hereby authorized to make such refunds from the Motor License Fund upon requisition of the Department of Revenue and warrant of the Auditor General

(b) So much of the moneys of the Motor License Fund as shall be necessary to carry out the provisions of this act is hereby specifically appropriated from such fund for the purpose above stated

Section 14 Subsections (a) and (b) of section eight hundred and one of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P L 2329) are hereby further amended to read as follows

**Section 801 Required Lighting Equipment**

(a) When Lights Must Be Displayed Every vehicle upon a highway within this Commonwealth during the period from [one (1)] one half (½) hour after sunset to [one (1)] one-half (½) hour before sunrise and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred (500) feet ahead shall be equipped with lighted lamps and illuminating devices as in this section respectively required for different classes of vehicles

(b) Head Lamps on Motor Vehicles Every motor vehicle other than a motorcycle or bicycle with motor attached shall be equipped with two (2) head lamps no more and no less at the front of and on opposite sides of the motor vehicle which head lamps shall comply with the requirements and limitations set forth in this act and shall be of a type which at the time of their use are approved by the secretary

Section 15 Section eight hundred and two of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P L 1135) is hereby further amended to read as follows

**Section 802 Additional Permissible Lights and Devices**

(a) Spot Lamps Any motor vehicle or motorcycle may be equipped with not to exceed one (1) spot lamp and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the high intensity portion of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle nor more than one hundred (100) feet ahead of the vehicle

(b) Auxiliary Driving Lamps Fog or Adverse Weather Lamps Any motor vehicle may be equipped with not more than a total of three (3) [nor less than two (2)] auxiliary driving lamps and fog or adverse weather lamps or combinations thereof not more nor less than two (2) auxiliary driving lamps and not more nor less than two (2) fog or adverse weather lamps mounted on the front spaced at a distance of not less than twenty (20) inches apart and of a height not less than twelve (12) inches nor more than forty-two (42) inches above the level surface upon which the vehicle stands which lamp shall comply with requirements and limitations set forth in this act and shall be of types which at the time of their use are approved by the secretary Auxiliary [or] fog or adverse weather lamps shall not be used in substitution of head lamps except under conditions of rain or fog rendering disadvantageous the use of head lamps

**(c) Signal Lamps and Mechanical Devices**

1 Whenever a motor vehicle is required to be equipped with a signal lamp or a signal device it shall be so constructed and located on the vehicle as to give a signal of intention to stop or to turn right or left the signal shall be yellow white or red in color and shall be plainly visible in normal sunlight and at night from a distance of one hundred (100) feet to the front and from a distance of one hundred (100) feet to the rear of the vehicle but shall not project a glaring or dazzling light and all such signals shall be of types which at the time of their use are approved by the secretary except that a signal giving the intention to stop shall only be visible from a distance of one hundred (100) feet to the rear

2 When a vehicle is equipped with a mechanical signal the mechanical signal shall be self-illuminated when in use at the times mentioned in section eight hundred one (801) and shall be of a type which at the time of its use is approved by the secretary

3 On and after November first one thousand nine hundred and thirty-nine when a vehicle is equipped with

an electrical signal device such device shall be of a type which at the time of its use is approved by the secretary

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 ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 16 Section eight hundred two and one-tenth of said act which was added by the act approved the sixteenth day of July one thousand nine hundred and thirty-five (P L 1056) is hereby amended to read as follows

**Section 802.1 Multiple Beam Road Lighting Equipment**

Except as hereinafter provided the headlamps or the auxiliary driving lamps or combinations thereof on motor vehicles shall be so arranged that the driver may select at will between distributions of light projected to different elevations subject to the following requirements and limitations

(a) There shall be an uppermost distribution of light or composite beam so aimed and of such intensity as to reveal persons and vehicles at a distance of at least three hundred fifty (350) feet ahead for all conditions of loading The maximum intensity of this uppermost distribution of light or composite beam one (1) degree of arc or more above the horizontal level of the lamps when the vehicle is not loaded shall not exceed eight thousand (8000) apparent candlepower and at no other point of the distribution of light or composite beam shall there be an intensity of more than seventy-five thousand (75,000) apparent candlepower

(b) There shall be a lowermost distribution of light or composite beam so aimed that

1 When the vehicle is not loaded none of the high intensity portion of the light which is directed to the left of the prolongation of the extreme left side of the vehicle shall at a distance of twenty-five (25) feet ahead project higher than a level of [ten (10)] eight (8) inches below the level of the center of the lamp from which it comes

2 When the vehicle is not loaded none of the high intensity portion of the light which is directed to the right of the prolongation of the extreme left side of the vehicle shall at a distance of twenty-five (25) feet ahead project higher than a level of [five (5)] three (3) inches below the level of the center of the lamp from which it comes

3 In no event shall any of the high intensity of such lowermost distribution of light or composite beam project higher than a level of forty-two (42) inches above the level on which the vehicle stands at a distance of seventy-five (75) feet ahead

(c) Where one intermediate beam is provided the beam on the left side of the road shall be in conformity with subsection (b) one of this section except when arranged in accordance with the practice specified in subsection (e)

(d) All road lighting beams shall be so aimed and of sufficient intensity to reveal a person or vehicle at a distance of at least one hundred (100) feet ahead

(e) All road lighting equipment manufactured and installed on and after January first one thousand nine hundred thirty-six shall be so arranged that whenever any beam is used which is not in conformity with subsection

(a) of this section two (2) white or yellow lights one (1) on each side of the vehicle visible to an oncoming driver and to the driver of said vehicle shall be lighted except that other suitable alternate means may be provided for indicating to the driver behind the light when such beams are on Indicator lights shall not be connected otherwise than as required in this paragraph Beam indicator lights and front parking lights shall be so connected that neither of said lights shall be lighted when a beam is in use which conforms with subsection (b) one of this section Every new motor vehicle registered in this Commonwealth or on or after the first day of January one thousand nine hundred forty-two which has multiple beam road-lighting equipment shall be equipped with a beam indicator which shall be lighted whenever the

uppermost distribution of light from the head lamps is in use and shall not otherwise be lighted Said indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle so equipped

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 ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 17 Section eight hundred and five of said act is hereby amended to read as follows

Section 805 Use Test and Approval of Lamps

(a) It shall be unlawful for any person to use upon a motor vehicle upon a highway any electric headlamp lens reflector or headlight control device or any electric auxiliary driving lamp rear lamp electrical signal device mechanical signal device or signal lamp unless of a type which has been submitted to the secretary for test and for which a certificate of approval has been issued by the secretary and is then in effect as provided in this act

(b) The secretary is hereby authorized to adopt and enforce rules and uniform standard specifications as to the amount color and direction of light to be emitted by headlamps auxiliary driving lamps rear lamps lenses electrical signal devices mechanical signal devices and signal lamps and the secretary is authorized and required to determine whether any headlamps auxiliary driving lamps signal lamps lenses electrical signal devices mechanical signal devices and rear lamps submitted will comply with such rules and uniform standard specifications and the secretary may approve such headlamps auxiliary driving signal lamps lenses electrical signal devices mechanical signal devices and rear lamps and to publish lists of such devices by name and type together with the permissible candlepower rating of the electric lamps or bulbs as he shall determine are lawful thereunder

(c) Any person desiring approval of any lighting device electrical signal device or mechanical signal device herein provided shall submit to the secretary two (2) sets of each type of device upon which approval is desired together with the fee provided in this act The secretary shall upon notice to the applicant submit such device to the United States Bureau of Standards or to such other recognized testing laboratory he may elect for a report as to the compliance of such device with the rules and uniform standard specifications adopted by the secretary Such devices will also be subject to any road tests or other tests as the secretary may deem necessary to determine that each type of headlamp auxiliary driving lamp rear lamp lens electrical signal device mechanical signal device and signal lamp they and their component parts are so constructed and mounted as to render them readily and universally adjustable to conform to the requirements as adopted by the secretary The secretary is authorized to refuse approval of any lighting device electrical signal device or mechanical signal device certified as complying with the specifications and requirements which the secretary determines will be in actual use unsafe or impracticable or would fail to comply with the provisions of this act or such requirements as may be adopted by the secretary

(d) The secretary shall request the testing agency to submit a report of each type of device to the secretary in duplicate For those which are found to comply with the specifications and requirements the report shall include any special adjustments required and the candlepower rating of the bulbs for such conformance Reports of all tests shall be accessible to the public and a copy thereof shall be furnished by the secretary to the applicant for the tests

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

Section 18 Section eight hundred six and two-tenths of said act which was added by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P L 2329) is hereby amended to read as follows

Section 806.2 Sale of Unapproved Vacuum or Pressure Hose Prohibited It shall be unlawful for any person to sell or lease or to offer for sale or hire either separately or as a part of the equipment of a vehicle any vacuum hose for brake systems unless such hose is approved by the secretary and bears the trade-mark or name under which it is approved so as to be legible when installed and is accompanied by printed instructions as to the manner of installation or use necessary for compliance with the requirements of this act

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 [fifty (\$50)] ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than [ten (10)] five (5) days

Section 19 Section eight hundred and nine of said act as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P L 751) is hereby further amended to read as follows

Section 809 Red Light Visible From in Front of Vehicles No persons shall operate or move any vehicle except fire departments [and] fire patrol apparatus or the private vehicles of those chiefs of fire departments assistant chiefs of fire departments or fire marshals who in accordance with a statement filed with the Pennsylvania Motor Police prior thereto use the same for answering fire or emergency calls upon a highway with a red light displayed on or showing to the front thereof

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 ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 20 Subsection (g) and the penalty clause of section eight hundred and thirteen of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) are hereby further amended to read as follows:

Section 813 Official Inspection Stations

\* \* \* \*

(g) Any peace officer who shall be in uniform and shall exhibit his badge or other sign of authority may stop any motor vehicle trailer or semi-trailer and require the owner or operator to demonstrate that such vehicles conform with the provisions of this act If such demonstration discloses the necessity for corrections adjustments or repairs to such vehicle the owner shall be notified that unless a certificate issued or executed by a representative of an official inspection station is submitted within five (5) days to the peace officer indicating that the necessary corrections adjustments or repairs have been made or that the registration plates and card for such vehicle have been surrendered and returned to the department for cancellation and the vehicle removed from the highways information for the prosecution or arrest of the owner or operator will be made for the specific violation or violations of this act noted at the time of notification Provided That when service and emergency brakes applied simultaneously will not stop a motor vehicle trailer or semi-trailer within distance defined in this act or hold a motor vehicle trailer or semi-trailer on a descending grade not exceeding ten (10) per centum or when the lighting equipment is glaring or insufficient or not in operation or is not equipped with a mirror or windshield wiper as defined and required in this act the owner or operator may be required to correct the faulty condition before being permitted to proceed with the vehicle and may be prosecuted for the specific violation of this act

\* \* \* \*

Penalty Any [owner who operates such inspection station or any manager or operator thereof or any employe thereof] person violating any of the provisions of this

section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 21 Section eight hundred and fourteen of said act is hereby amended to read as follows:

Section 814 Horns and Warning Devices

(a) Every motor vehicle when operated upon a highway shall be equipped with a horn or other warning device in good working order capable of emitting sound audible under normal conditions from a distance of not less than two hundred (200) feet and it shall be unlawful except as otherwise provided in this act for any vehicle to be equipped with or for any person to use upon a vehicle any siren bell compression or sparkplug whistle or for any person at any time to use a horn or other warning devices otherwise than as a reasonable warning or to make any unnecessary or unreasonably loud or harsh sound by means of a horn or other warning device

(b) Every police [and] fire department and fire patrol vehicle [and every] ambulance or the vehicle of the chief of any fire department assistant chief of any fire department or fire marshal who in accordance with a statement filed with the Pennsylvania Motor Police prior thereto uses the same for answering fire or emergency calls may be equipped with a bell siren compression or sparkplug whistle of a type approved by the secretary

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

Section 22 Section eight hundred sixteen and two-tenths of said act which was added by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) is hereby amended to read as follows:

Section 816.2 Unlawful to Sell Equipment Not in Conformance with Act It shall be unlawful for any person to sell lease use install or repair either for himself or as the agent or employe of another or through such agent or employe any glass lighting signal devices brakes [vacuum or pressure hoses] or any other kind of equipment whatsoever for use in any vehicle trailer or semi-trailer that is not in conformity with the provisions of this act or the regulations made thereunder

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 ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 23 Subsection (g) of section eight hundred and twenty-three subsection (a) of section eight hundred and twenty-four and clause (6) of subsection (b) of section eight hundred and twenty-eight of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows:

Section 823 Official Inspections

\* \* \*

(g) Any peace officer who shall be in uniform and shall exhibit his badge or other sign of authority may stop any motor vehicle trailer or semi-trailer and require the owner or operator to display an official certificate [or other satisfactory proof of inspection] for the motor vehicle trailer or semi-trailer being operated It shall be unlawful for any such certificate to be displayed on a motor vehicle trailer or semi-trailer or by the owner or operator unless an official inspection of its mechanism or equipment shall have been made and the motor vehicle trailer or semi-trailer conforms to the provisions of this act

Section 824 Danger and Caution Signals

(a) Every motor bus and every motor omnibus for the carriage of passengers for hire except taxicabs and every commercial vehicle or combination of vehicles

[having] authorized to carry a gross weight of eleven thousand (11,000) pounds or more and every trailer or semi-trailer designed for the living quarters or carriage of persons shall be equipped with at least three (3) red flags or dimensions not less than twelve by twelve (12x12) inches and a sufficient number of flares not less than three (3) or electric lanterns electric flashing signals or other signals capable of continuously producing three warning lights each visible from a distance of at least five hundred (500) feet for a period of at least eight (8) hours Provided however That the provisions of this section shall not apply to vehicles within the confines of a municipality or within a business or residence district

Every such flare lantern electric flashing signal or other signal shall be of a type approved by the secretary and he shall publish lists of those devices which he has approved as adequate for the purposes of this section

Section 828 School Buses and 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

\* \* \*

(6) There shall be at least thirteen (13) inches of seating space provided for each school child carried And there shall be a measurement of at least twelve (12) inches from the front of every seat to the back of the seat next to the rear All seats shall have spring cushions and all back rests shall be well padded and shall be securely fastened to the bus There shall be no longitudinal seats opposite to and facing each other within a distance of eighteen (18) inches and in all new buses purchased after the effective date of this act there shall be no longitudinal seats except in buses where fifty per centum or more of the pupils transported on any one trip of the school day are crippled

Section 24 Subsections (a) and (g) of section nine hundred and two and the penalty clause of section nine hundred and three of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) are hereby further amended to read as follows

Section 902 Size of Vehicles and Loads (a) No vehicle except fire department equipment shall exceed a total equipment street sweepers and snow plows shall exceed a total maximum width including any load thereon of ninety-six (96) inches except that the limitations as to size of vehicles stated in this act shall not apply to vehicles loaded with hay or straw in bulk

\* \* \* \*

(g) No truck tractor and semi-trailer coupled together except fire department equipment shall exceed a total maximum length inclusive of load and bumpers of five hundred forty (540) inches excepting [that until but not after January first one thousand nine hundred forty-one any truck tractor and semi-trailer properly registered in this Commonwealth on the effective date of this act may when coupled together be of a total maximum length not exceeding seventy (70) feet excepting further] that nothing in this subsection shall prohibit the transportation of articles impossible of dismemberment [which] where total length of vehicles [do] does not exceed seventy (70) feet

Section 903 Weight of Vehicles and Loads

\* \* \* \*

Penalty Any person operating any vehicle or combination of vehicles upon any highway with a gross weight exceeding by more than five (5) per centum the maximum gross weight allowed and not exceeding by more than ten (10) per centum the maximum gross weight allowed shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days and any person operating any vehicle or combination of vehicles on any highway with a gross weight exceeding by more than (10) per centum the



maximum gross weight allowed shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecutions and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 25 The penalty clause of section nine hundred and three of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) is hereby further amended to read as follows:

Section 903 Weight of Vehicles and Loads

Penalty [Any person operating any vehicle] Where any vehicle shall be operated upon any highway with a gross weight exceeding by more than five (5) per centum the maximum gross weight allowed and not exceeding by more than ten (10) per centum the maximum gross weight allowed the owner or operator thereof or both shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days and [any person operating any vehicle on] where any vehicle shall be operated upon any highway with a gross weight exceeding by more than ten (10) per centum the maximum gross weight allowed the owner or operator thereof or both shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days Provided That where the owner of the vehicle is a corporation partnership or association the officers of such corporation or the members of such partnership or association violating the provisions of this section shall be subject to the penalties provided for herein And provided further That the operator of any such vehicle who is not its owner shall not be liable for such violation nor subject to the penalties set forth herein if he can establish by evidence that he did not have notice or knowledge of the overweight of such vehicle The secretary shall have authority to suspend the registrations of any resident owner to operate or to have his vehicle operated in this Commonwealth who shall fail to pay any fine imposed under the provisions of this section upon any such resident or nonresident owners and such registrations or privilege to operate or to have his vehicles operated in this Commonwealth shall remain suspended until such fine has been paid The secretary upon reinstatement of the registration or operating privilege of any such resident or nonresident owner shall have the discretionary power to determine whether or not financial security for further violations shall be required Such security if required may be in the form of a bond cash or securities not exceeding in amount or value the sum of one hundred fifty (\$150) dollars which shall be deposited with the State Treasurer until released upon order of the secretary

Section 26 Subsection (a) of section nine hundred and five of said act as amended by the act approved the fifth day of June one thousand nine hundred and thirty-seven (P. L. 1718) is hereby further amended to read as follows:

Section 905 Permits for Excessive Size and Weight (a) The Secretary of Highways of this Commonwealth and local authorities in their respective jurisdiction may in their discretion upon application in writing accompanied by the fee provided in this act and in good cause being shown therefor issue a special permit in writing authorizing the applicant to operate or move either a vehicle or combination of vehicles or a vehicle and load or a combination of vehicles and their load or loads of a size or weight exceeding the maximum specified in this act upon any highway under the jurisdiction of and for the maintenance of which the authorities granting the permit are responsible When a permit has been issued by the Secretary of Highways no other authorities shall require any further or additional permit for any portion of the route specified therein Every such permit shall be issued for a single trip and shall designate the route to be traversed subject to such rules regulations restrictions or conditions as shall be deemed necessary by the authority granting

such permit Provided That upon request included in the application a combination permit may be issued for a single continuous round trip whether or not a load or loads may be transported for the entire trip but no substantial increase in the size or weight of vehicle or combination of vehicles or of load shall be made between intermediate points without supplemental permit The Secretary of Highways may in his discretion issue a single permit for any fixed number of movements across the highway or along the highways of vehicles or combination thereof exceeding the maximum size or weight specified in this act at specified locations or within any area in the Commonwealth designated in the permit Whenever any such permit shall have been issued for crossing the highway it shall be unlawful to move said vehicles along the highway The movement of any vehicle or load requiring a permit shall impose the obligation on the permittee to restore or replace any section of highway or bridge damaged as a result of such movement whether or not such damage may be attributable to negligence on the part of the permittee Every such permit shall be carried in the vehicle to which it refers and shall be open to inspection by any peace officer or employe of the Department of Highways of this Commonwealth or to any person having collision with or suffering injury from such vehicle

Section 27 Clause (1) of subsection (d) of section one thousand and two of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby amended to read as follows

Section 1002 Restrictions as to Speed

(b) (1) When the rate of speed of any vehicle is timed on any highway within a business or residence district where official speed limit signs are erected as provided in this section for the purpose of ascertaining whether or not the operator of such vehicle is violating a speed provision of this act such time shall be taken by not less than (2) peace officers one of whom shall have been stationed at each end of a measured stretch and no conviction shall be had upon the unsupported evidence of one (1) peace officer except as hereinafter provided and no such measured stretch shall be less than one-eighth ( $\frac{1}{8}$ ) of a mile in length except that in ascertaining whether or not the operator of such vehicle is violating the speed limit at an intersection such measured stretch shall not be less than eighty-eight (88) feet in length Under all conditions the rate of speed shall be timed for a distance of not less than one-quarter ( $\frac{1}{4}$ ) mile by a peace officer using a motor vehicle equipped with a speedometer tested for accuracy within a period of thirty (30) days prior to the alleged violation An official certificate from an official speedometer testing station showing such test was made that the speedometer was adjusted for accuracy the date thereof and the degree of accuracy of such speedometer after adjustment shall be competent and prima facie evidence of the fact that such certificate was issued by an official speedometer testing station appointed by the secretary and of the accuracy of the speedometer in every proceeding where an information is brought charging a violation of this section

Section 28 Section one thousand and three of said act is hereby amended to read as follows

Section 1003 Railroad Warning Signals Must be Obeyed Whenever any person driving a vehicle approaches an interurban or steam railway grade crossing and a clearly visible and positive signal gives warning of the immediate approach of a railway train or car it shall be unlawful for the driver of the vehicle to fail to bring the vehicle to a complete stop before traversing such a grade crossing

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 [ten (\$10) dollars] one (\$1) dollar and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than [five (5)] three (3) days

Section 29 Section one thousand and fourteen of said act as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one

(P L 751) is hereby further amended to read as follows

Section 1014 Exceptions to the Right of Way Rule

(a) The driver of a vehicle entering a highway from a private road or drive shall yield the right of way to all vehicles approaching on such highway

(b) The driver of a vehicle upon a highway shall yield the right of way to police [and] fire department and fire patrol vehicles [and] ambulances and the vehicles of those chiefs of fire departments assistants chiefs of fire departments and fire marshals who signify in writing their intention to use such vehicles while answering fire or emergency calls and file the written declaration prior to such use thereof with the Pennsylvania Motor Police when such vehicles are operated upon official business and the drivers thereof sound audible signal This provision shall not operate to relieve the driver of [a police or fire department vehicle or ambulance] any such vehicle from the duty to drive with due regard for the safety of all persons using the highway nor shall it protect the driver of any such vehicle from the consequence of an arbitrary exercise of such right of way

(c) The driver of a vehicle entering a through highway or stop intersection which has been established as such under provision of this act shall yield the right of way to all vehicles approaching in either direction on such through highway This provision shall not operate to relieve the driver of any vehicle being operated on a through highway from the duty to drive with due regard for the safety of vehicles entering such through highway nor shall it protect the driver of any vehicle on a through highway from the consequence of an arbitrary exercise of such right of way

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 ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 30 Section one thousand and fifteen of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P L 2329) is hereby further amended to read as follows

Section 1015 What to do on Approach of Police or Fire Department Vehicle

(a) Upon the approach of any police [or] fire department and fire patrol vehicle [or] ambulance or the vehicle of the chief of any fire department assistant chief of any fire department or fire marshal who in accordance with a statement filed with the Pennsylvania Motor Police prior thereto uses the same for answering fire or emergency calls giving audible signal the driver of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the highway clear of any intersection or highways and shall stop and remain in such position unless otherwise directed by a peace officer until [the police or fire department vehicle or ambulance] such vehicle shall have passed

(b) It shall be unlawful for the driver of any vehicle street car or trackless trolley omnibus other than one on official business to follow any fire apparatus traveling in response to a fire alarm closer than five hundred (500) feet or park such vehicle within five hundred (500) feet where fire apparatus has stopped in answer to a fire alarm

(c) Upon the approach of any police [or] fire department and fire patrol vehicle [or] ambulance or the vehicle of the chief of any fire department assistant chief of any fire department or fire marshal who in accordance with a statement filed with the Pennsylvania Motor Police prior thereto uses the same for answering fire or emergency calls giving audible signal the operator of every street car or trackless trolley omnibus shall immediately stop and remain in such position unless otherwise directed by a peace officer until [the police or fire department vehicle or omnibus] such vehicle shall have passed

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 ten (\$10) dollars

and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 31 Subsection (a) of section one thousand one hundred and three as amended by the act approved the fifth day of June one thousand nine hundred and thirty-seven (P. L. 1718) is hereby further amended to read as follows

Section 1103 Powers of Local Authorities

(a) Local authorities except as expressly authorized by this act shall have no power or authority to alter any speed limitations declared in this act or to enact or enforce any ordinance rule or regulation contrary to the provisions of this act except that local authorities shall have power to provide by ordinance for the regulation of traffic by means of peace officers or official traffic signals on any portion of the highway where traffic is heavy or continuous and may regulate or prohibit parking stopping or loading of vehicles or prohibit other than one-way traffic upon certain highways and may regulate the use of the highways by processions or assemblages and may regulate the kinds and classes of traffic and its turning on certain highways at all or certain hours and may regulate the transportation by motor vehicles of passengers for compensation within the limits of a city or from points in the city to points beyond the city limits and make and enforce regulations for the operation of such vehicles not inconsistent with this act and designate certain streets upon which such vehicles may be operated

Provided however That any regulations of the kinds and classes of traffic on State Highway Routes within cities shall be subject to the approval of the Secretary of Highways first had and obtained

And excepting further that any city of the first class and any city of the second class may by ordinance provide that the maximum speed within said city shall not exceed thirty-five (35) miles an hour

Local authorities may designate any highway or any part of a highway under their jurisdiction a "Play Highway" and may close such designated highway to general traffic where interference to traffic will not be serious Such highways or portions of highways shall be used for play purposes and shall be clearly designated by appropriate signs specifying the hours between which such highways shall be closed to general traffic

Local authorities may regulate parking by means of mechanical devices requiring the deposit of a coin or coins to cause or permit the device to be actuated and may fix the denomination of the coins to be deposited and the limit of time vehicles may be parked proportionate to the amount of money so deposited if official signs giving notice thereof are first posted conspicuously at points where any highway affected thereby joins other highways and if official signs giving notice of such charges and time limits are attached to each device All income received from the use of mechanical devices to regulate parking shall be deposited in a separate account and shall be appropriated and expended first for the purchase operation and maintenance of such mechanical devices and incidental costs arising from such regulation and any balance thereafter remaining may be expended only for general traffic regulation and for no other purpose

Section 32 Subsection (g) of section one thousand one hundred and ten of said act which was added by section fourteen of the act approved the fifth day of June one thousand nine hundred and thirty-seven (P. L. 1718) and amended by the act approved the ninth day of June one thousand nine hundred and thirty-nine (P. L. 317) and by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1110 Erection of Traffic Signs Signals and Markings

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(g) Traffic signals electrically operated that have been erected prior to the passage of this act whenever reconstructed or the controllers or wiring are replaced shall be made to conform with the provisions of this act and the regulations of the Secretary of Highways but in any



event all such signals except in cities of the second class A shall be made to so conform not later than January first one thousand nine hundred and forty-two and in cities of the second class A not later than January first one thousand nine hundred and forty-four unless extension of time shall be granted by the Secretary of Highways in each specified case

Section 33 Article eleven of said act is hereby amended by adding thereto after section one thousand one hundred and fourteen a new section to read as follows

Section 1115 Regulation of Traffic on Pennsylvania Turnpike (a) The Pennsylvania Turnpike Commission shall have the power by resolution to promulgate rules and regulations for the regulation of traffic by means of peace officers or official traffic signs or signals on any portion of any turnpike or highway under its supervision and control may establish one-way traffic lanes and may regulate or prohibit parking stopping or loading of vehicles or the use of the turnpike or any highway under its supervision and control by processions or assemblages the kinds and classes of traffic and its turning upon or the crossing of the medial strip or any other portion of such turnpikes or highways the transportation by vehicles of automobiles machinery and merchandise and the transportation of passengers and generally make and enforce regulations for the operation of same with due regard to the safety of the traveling public Provided however That such rules and regulations shall not be inconsistent with the provisions of this act

(b) The rules and regulations promulgated by the Pennsylvania Turnpike Commission governing the traffic upon any turnpike or highway under its supervision and control shall become effective upon the publication thereof in the manner which the commission shall prescribe A copy of all such rules and regulations which shall become effective shall be posted and remain posted so long as they are effective in a conspicuous place at all entrances to such turnpike or highway for the inspection of persons using such turnpike or highway

(c) Any person or persons violating any of the rules and regulations of said commission for which no penalty has been provided in Vehicle Code or other laws relating to vehicles shall upon summary conviction before a magistrate or justice of the peace be sentenced to pay a fine or ten dollars (\$10) and costs of prosecution and in default of the payment thereof shall undergo imprisonment of not more than ten (10) days

Section 34 Section one thousand two hundred and one of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

#### Section 1201 Limitations of Actions

(a) Informations charging violations of any of the summary provisions of this act by any person shall be brought before the nearest available magistrate within the city borough incorporated town or township where the alleged violation occurred except that local authorities in cities may establish a special magistrate's or traffic court before which such informations shall be brought Provided however That where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than one magistrate any such prosecution may be brought before any one of such magistrates or if there is no person holding the office of magistrate in such city borough incorporated town or township then such information [shall] may be brought before [such nearest] any available magistrate in any [adjoining] city borough incorporated town or township adjoining such district wherein the alleged violation occurred and if there is no person holding the office of magistrate in such district then such information may be brought before any available magistrate in any district adjoining the district wherein the alleged violation occurred and if there is no person holding the office of magistrate in such district then such information may be brought before any magistrate in the county wherein the violation occurred except that information charging violations of any of the provisions of this act which shall occur

upon any highway under the supervision and control of any Pennsylvania Turnpike Commission now or hereafter created may be brought before any magistrate within any county wherein the alleged violation occurred and excepting further that where a special magistrate's or traffic court is set up in any city the information may be filed with that traffic court regardless of the availability or nearness of any other magistrate to the place where the offense was alleged to have been committed Provided however That such information must be filed in the special magistrate's or traffic court located in the city where the offense was alleged to have been committed Such informations shall be brought within fifteen (15) days after the commission of the alleged offense and not thereafter except that where an information is filed against a person prima facie guilty of a summary offense and it subsequently appears that a person other than the person named in the information was the offender an information may be filed against such other person within fifteen (15) days after his or her identity shall have been discovered and excepting further that information charging violations of the provisions of sections 207 210 212 406.1 610.1 and 620 (j) of this act may be brought within fifteen (15) days after it is discovered that a violation of any of these sections has been committed and excepting further that informations charging violations of the provisions of section one thousand and twenty-five (d) of this act may be brought against a person within fifteen (15) days after his or her identity shall have been discovered

(b) Where the offense committed is designated a felony or misdemeanor information may be filed as now provided by law

Section 35 Section one thousand two hundred and two of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) is hereby further amended to read as follows

#### Section 1202 Proceedings by Information and Warrant

(a) Summary proceedings under this act [may] or any violation of a local ordinance rule or regulation enacted under the authority thereof except as hereinafter provided shall be commenced by the filing of information which information must be filed in the name of the Commonwealth and within the period of seven (7) days after information has been lodged the magistrate shall send by registered mail to the person charged at the address shown by the records of the department a notice in writing of the filing of the information together with a copy thereof and a notice to appear within ten (10) days of the date of the written notice at which time the person charged shall appear and may plead guilty and pay fine and costs imposed waive a hearing and post bail or request a hearing the date of which shall be fixed by the magistrate at a time not less than five (5) nor more than ten (10) days from the date of such appearance Provided however That the person charged in lieu of a personal appearance as described above may plead guilty and pay by registered mail the fine and costs imposed or request by registered mail a hearing Where the person charged requests by registered mail a hearing the magistrate shall fix a date for such hearing at a time not less than ten (10) nor more than twenty (20) days from the date such request was received and notice of such hearing shall be sent to the person charged by the magistrate within five (5) days of the receipt of such request

1 If the person named in the information shall not voluntarily appear within ten (10) days of the date of the written notice a warrant shall then issue and may be served by a peace officer having authority to serve warrants in the county in which the alleged violation has been committed

If the person charged cannot be served within such county then the magistrate shall deputize a peace officer having authority to serve warrants in the county wherein the person charged resides or may be found to serve such warrant

2 The peace officer serving such warrant shall take the defendant before a magistrate within the city borough incorporated town or township in which the defendant is

found or if there is no person holding the office of magistrate in any adjoining city borough incorporated town or ship then the defendant shall be taken before a magistrate in any adjoining city borough incorporated town or township who shall take bail either for the defendant's appearance before the magistrate who issued the warrant or for his appearance for trial in the proper court if a summary hearing is waived

(b) Where the offense committed is designated a felony or misdemeanor information may be filed and warrant served as now provided by law

(c) Whenever an arrest is made upon view under any of the provisions of and as limited by this act the officer making the arrest shall forthwith make and file with the magistrate before whom the arrested person is taken an information setting forth in detail the offense and at once furnish a copy thereof to the person arrested

(d) Any person so arrested shall be given the opportunity of having an immediate hearing or of giving bail as provided in this act for a hearing before the magistrate to be held at a date not more than ten (10) days from the date of such arrest or of waiving a hearing and giving bail for his appearance in court

Section 36 Section one thousand two hundred and seven of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

#### Section 1207 Disposition of Fines and Forfeitures

(a) All fines and penalties collected under the provisions of this act for violations of the same and all bail forfeited shall be paid to the department and transmitted to the State Treasury and credited to the "General Fund" except those collected for violations of the provisions of sections nine hundred and three (903) nine hundred and five (905) one thousand and two (1002) one thousand and eleven (1011) one thousand and fifteen (1015) one thousand and eighteen (1018) one thousand and twenty (1020) one thousand and twenty-six (1026) one thousand and twenty-eight (1028) of this act committed within cities boroughs incorporated towns and townships which fines and penalties and all bail forfeited shall be paid to the treasurer of the city borough incorporated town or township wherein the violation occurred to be used by such city borough incorporated town or township for the construction repair and maintenance of the highways thereof Provided That all fines and penalties collected and all bail forfeited for violations of the provisions of section one thousand and sixteen (1016) committed within cities boroughs incorporated towns and townships shall be paid to the treasury of the city borough incorporated town or township wherein the violation occurred to be used by such city borough incorporated town or township for the construction repair and maintenance of the highways thereof And provided further That all fines and penalties collected and all bail forfeited for violations of the provisions of subsection (f) of section six hundred twenty (620) shall be paid to the treasury of the county wherein the violation occurred to be used by such county for the payment of physicians' fees for the examination of person accused of violating the provisions of the said section [Any] and any balance remaining in the treasury of the county at the expiration of the calendar year and not payable for physicians' services rendered shall be used for county highway purposes And provided further That all fines and penalties collected and all bail forfeited for violations of the provisions of sections nine hundred and three (903) nine hundred and five (905) one thousand and two (1002) one thousand and eleven (1011) one thousand and fifteen (1015) one thousand and sixteen (1016) one thousand and eighteen (1018) one thousand and twenty (1020) one thousand and twenty-six (1026) and one thousand and twenty-eight (1028) of this act upon any highway under the supervision and control of any Pennsylvania Turnpike Commission now or hereafter created shall be paid to the county commissioners of each of the respective counties wherein the violations occurred who shall distribute semi-annually all such moneys received from such fines penalties and bail forfeited equally among the several boroughs incorporated

towns and townships bordering upon such highways in each such county All such moneys received by such boroughs incorporated towns and townships shall be used for the construction repair and maintenance of the highways thereof

(b) Sworn statements of all fines and penalties so collected and all bail forfeited shall also be made by the magistrate or other officer imposing or receiving the same to the secretary upon forms furnished by the department such reports shall be made monthly not later than the tenth (10th) day of the following month

Penalty Any magistrate or other officer who shall fail to make such monthly reports and returns or either of them shall be guilty of a misdemeanor in office and upon conviction thereof in a court of quarter sessions shall be sentenced to pay a fine of five hundred (\$500.00) dollars and costs of prosecution or undergo imprisonment for not more than sixty days or suffer both such fine and imprisonment

Section 37 Section one thousand two hundred and eleven of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1211 Limitation of Authority for Pennsylvania Motor Policemen Such employes of the Commonwealth as are designated as Pennsylvania Motor Policemen are hereby declared to be peace officers and are hereby given police power and authority throughout the Commonwealth to arrest on view on Sunday or any other day when in uniform without writ rule order or process any person violating any of the provisions of this act in addition to any other power or authority conferred by law except such motor policeman shall have no authority to arrest on view any person violating any of the provisions of subsections (d) or (e) of section eight hundred thirteen (813) or subsections (c) (d) (e) or (f) of section eight hundred twenty-three (823) of this act

Whenever an arrest of any person is made upon view on Sunday or any other day under the provisions of this section the officer making the arrest shall forthwith take the defendant before the nearest available magistrate in the city borough incorporated town or township where the alleged offense occurred except that informations charging violations of any of the provisions of this act which shall occur upon any highway under the supervision and control of any Pennsylvania Turnpike Commission now or hereafter created may be brought before any magistrate within any county wherein the alleged violation occurred and excepting further that local authorities in cities may establish a special magistrate's or traffic court before which such informations shall be brought Provided however That where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than one magistrate any such prosecution may be brought before any one of such magistrates or if there is no magistrate available in such district then the officer [shall forthwith] may take the defendant to [such nearest] any available magistrate in any [adjoining city borough incorporated town or township] district adjoining the district wherein the alleged violation occurred and if there is no person holding the office of magistrate in such district then the officer may take the defendant to any available magistrate in any district adjoining the district wherein the alleged violation occurred and if there is no person holding the office of magistrate in such district then the officer may take the defendant to any magistrate in the county wherein the violation occurred [and] except where a special magistrate's or traffic court is set up in any city the information may be filed with that traffic court regardless of the availability or nearness of any other magistrate to the place where the offense was alleged to have been committed Provided however That such information must be filed in the special magistrate's or traffic court located in the city where the offense was alleged to have been committed The officer making the arrest shall make and file with the magistrate before whom the arrested person is taken an information setting forth in detail the offense

and at once furnish a copy thereof to the person arrested Any person so arrested on any day other than Sunday shall be given the opportunity of having an immediate hearing or of waiving a hearing or of giving bail and any person so arrested on Sunday shall be given the opportunity of giving bail which shall be accepted by the magistrate the same as on any other day as provided in this act for a hearing before the magistrate to be held at a date not more than ten days from the date of such arrest or of waiving a hearing and giving bail for his appearance in court

Section 38 Subsection (c) of section one thousand two hundred and twelve of said act as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 751) is hereby further amended to read as follows

Section 1212 Enforcement of Local Ordinances

(c) Any city borough incorporated town township or county which enforces an ordinance rule or regulation on a matter concerning which authority is expressly delegated to said authorities by this act or for traffic matters not covered by this act may impose a fine of not more than fifty (\$50) dollars to be collected by summary conviction before any magistrate [as fines and penalties are now by law collected] as provided in this act In the event of nonpayment of fines and costs of prosecution the magistrate may sentence any person convicted of violating an ordinance rule or regulation to undergo imprisonment for a period of not exceeding ten (10) days Provided That any person so convicted shall have the right of appeal as in other cases of summary conviction And further provided That any person accused of violating a local ordinance rule or regulation enforced under the authority of this act may waive summary hearing and give bond in a sum equal to double the amount of the maximum fine and costs that might be imposed for appearance for trial before a judge of the court of quarter sessions or in the county court or in the municipal court in counties where in such courts exist and thereupon the magistrate shall within fifteen (15) days return the information to the said court and if any person so accused shall be convicted in such court of the offense charged he shall be fined as prescribed by said ordinance rule or regulation or in event of non-payment of such fine and costs of prosecution to suffer imprisonment for a period not to exceed ten (10) days All fines and bail forfeited as provided for in this section shall be paid to the treasurer of such city borough incorporated town or township for the construction repair and maintenance of the highways thereof

Section 39 Subsection (b) of section one thousand two hundred and fourteen and section one thousand two hundred and fifteen of said act are hereby amended to read as follows

Section 1214 Duty to Report Accidents

(b) Local authorities may require the reporting of motor vehicle accidents [in such form as they deem advisable] occurring within their jurisdictions but such reports shall only be made on forms prescribed by the department and such local reports shall not conflict with the necessity for reporting such accidents to the department

Section 1215 Garage Keeper to Report Damaged Motor Vehicles The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been struck by any bullet shall report to the nearest police station or sheriff's office within [twenty-four (24)] eight hours after such motor vehicle is received giving the name engine number manufacturer's serial number registration plate number and the name and address of the owner or operator of such vehicle

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 ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 40 Subsection (c) of section one thousand two

hundred and eighteen of said act is hereby amended to read as follows

Section 1218 Signals and Investigations by Officers

(c) Any peace officer or department employe who shall be in uniform or shall exhibit a badge or other sign of authority shall have the right to inspect any motor vehicle in any public garage or repair shop or upon any parking or used car lot for the purpose of locating stolen motor vehicles [and] investigating the title and registration of motor vehicles and determining whether motor vehicles are in a safe condition for operation upon the highways and for such purpose the owner of any such garage [or] repair shop or parking or used car lot shall permit any such peace officer or department employe without let or hindrance to make investigation as herein authorized

Section 41 Article twelve of said act is hereby amended by adding thereto after section one thousand two hundred and twenty-two two new sections to read as follows

Section 1223 Medical Examination by Physicians Fee Where any person charged with violating any of the provisions of section six hundred and twenty (f) of this act shall be examined by a physician such examination shall be made by a physician whose office is within the city borough incorporated town or township where the alleged violation occurred or if such physician or physicians shall not be in their offices or shall refuse to make an examination or there shall not be a physician having an office within such city borough incorporated town or township then such examination shall be made by a physician having an office in any other city borough incorporated town or township within the county wherein the alleged violation occurred

The physician's fee for the medical examination of any person charged with violating the provisions of section six hundred and twenty (f) of this act and for any appearances as a witness that may be necessary shall be deemed to be an item of the costs when prosecution is brought Such fee shall be ten (\$10) dollars and shall be paid by the county to the examining physician upon authorization of the district attorney in those cases where no bill of indictment charging any person with such violation is presented to the grand jury and in all other cases as now provided by law Provided however That no fees shall be paid under the provisions of this section to a physician whenever such examination could have been made by a physician receiving compensation at regular intervals whose regular duties include the duty of making such examinations

Section 1224 Notice by Registered Mail of Suspension or Revocation of License Privileges

Wherever under the provisions of this act the secretary is required to give notice of the suspension or revocation of any license privilege such notice may be given by registered mail

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

On the question,

Shall the bill pass finally?

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

YEAS—190

- |            |             |              |              |
|------------|-------------|--------------|--------------|
| Achterman, | Flynn,      | Longo,       | Rose, S.,    |
| Allmond,   | Foor,       | Lovett,      | Rose, W. E., |
| Auker,     | French,     | Lyons,       | Rosenfeld,   |
| Baker,     | Gallagher,  | Malloy,      | Royer,       |
| Balthaser, | Gates,      | Marks,       | Rush,        |
| Baughner,  | Gerard,     | Maxwell,     | Sarge,       |
| Bentley,   | Gillan,     | McClanaghan, | Sarraff,     |
| Bentzel,   | Gillette,   | McClester,   | Schwab,      |
| Boles,     | Goodwin,    | McDermott,   | Serrill,     |
| Boney,     | Gross,      | McFall,      | Shaffer,     |
| Boorse,    | Gryskewicz, | McIntosh,    | Shaw,        |
| Bower,     | Gyger,      | McKinney,    | Simons,      |
| Bradley,   | Habbyshaw,  | McLanahan,   | Skale,       |
| Breth,     | Haberlen,   | McLane,      | Snyder,      |

Bretherick,	Haines,	McMillen,	Sollenberger,
Brunner, C. H.,	Hall,	McSurdy,	Sorg,
Brunner, P. A.,	Hamilton,	Melchiorre,	Stambaugh,
Burriss,	Hare,	Mihm,	Stine,
Cadwalader,	Harkins,	Modell,	Stockham,
Chervenak,	Harmuth,	Monks,	Tarr,
Chudoff,	Harris,	Mooney,	Tate,
Cochran,	Heatherington,	Moran,	Taylor,
Cohen, M. M.,	Heim,	Moul,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Muir,	Thompson, R. L.,
Cooper,	Hersch,	Munley,	Trout,
Cordier,	Hewitt,	Nagel,	Turner,
Corrigan,	Hirsch,	Nunemacher,	Van Allsburg,
Croop,	Huntley,	O'Brien,	Vincent,
Cullen,	Imbrie,	O'Connor,	Voldow,
Dalrymple,	James,	O'Mullen,	Wagner,
Dennison,	Jefferson,	O'Neill,	Watkins,
DiGenova,	Jones, G. E.,	Owens,	Weingartner,
Dix,	Jones, P. N.,	Petrosky,	Weiss,
Dolon,	Keenan,	Pettit,	Weish, E. B.,
D'Ortona,	Kenehan,	Polaski,	Welsh, M. J.,
Iffy,	Kline,	Polen,	Wilkinson,
Early,	Knoble,	Powers,	Williams,
Elder,	Kolankiewicz,	Prosen,	Winnier,
Elliott,	Komorofski,	Rank,	Wood, L. H.,
Ely,	Krise,	Rausch,	Wood, N.,
Falkenstein,	Lee, E. A.,	Readinger,	Woodring,
Finestone,	Lee, T. H.,	Reagan,	Woodside,
Finnerty,	Lelsey,	Reese, D. P.,	Wright,
Fisher,	Leonard,	Reese, R. E.,	Yeakel,
Fiss,	Lesko,	Reynolds,	Yester,
Fleming,	Levy,	Rhea,	Young,
Fletcher,	Leydic,	Rooney,	Kilroy, Speaker.
	Lichtenwalter,		

Amend Sec. 1, page 2, line 8, by striking out the word "highways" and inserting in lieu thereof: "highway".  
 Amend Sec. 1, page 2, line 9, by striking out the following "respective townships" and inserting in lieu thereof: "township".

Amend Sec. 1, page 2, line 9, by striking out the following "they are" and inserting in lieu thereof: "it is".  
 Amend Sec. 1, page 2, lines 16 to 21, both inclusive, by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objections? The Chair hears none.

On the question,  
 Will the House agree to the amendments?  
 The amendments were agreed to.

On the question,  
 Will the House agree to the bill on third reading as amended?

It was agreed to.  
 Ordered, that the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection House Bill No. 1216, Printer's No. 986, House Bill No. 1727, Printer's No. 957, and House Bill No. 1728, Printer's No. 958, were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,  
 The House proceeded to the third reading and consideration of House Bill No. 1217, as follows:

An Act regulating and establishing prevailing wage rates to be used by contractors employed by the Department of Highways in the construction of highways and street paving and imposing certain duties on the Department of Highways

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

Section 1 All contractors employed by the Department of Highways of the Commonwealth in the construction of highways or street paving shall pay their employes according to the prevailing wage rate in the locality in which such work is to be done The determination of such rates shall be based upon the wage rates being paid by contractors in contractual relationship with labor unions or organizations doing similar work within a radius of twenty miles of the locality in which the contemplated work is to be done

In order to carry out the provisions of this act the Department of Highways when asking bids for contract work shall be required to state in their printed specifications such prevailing wage rate for all unskilled semi-skilled and skilled workers to be employed on such projects

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

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

On the question,  
 Shall the bill pass finally?

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

YEAS—182

Achterman,	Foor,	Leydic,	Rooney,
Allmond,	French,	Lichtenwalter,	Rose, S.,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 259, Printer's No. 964, was passed over at the request of the SPEAKER.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1765, entitled:

An Act repealing and abandoning as a State highway State highway Routes 03123 and 03133 in Armstrong County and providing for the reversion thereof to the townships.

On the question,

Will the House agree to the bill on third reading?

Messrs. HELM and GATES. Mr. Speaker, we ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, line 2 of title, by striking out the following "Routes 03123 and 03133" and inserting in lieu thereof: "Route 03123".

Amend title, page 1, line 3 of title, by striking out the following "townships" and inserting in lieu thereof: "township".

Amend Sec. 1, page 1, line 1, by striking out the following "Routes 03123 and 03133" and inserting in lieu thereof: "Route 03123".

Amend Sec. 1, page 2, line 7, by striking out the following "are" and inserting in lieu thereof: "is".

Amend Sec. 1, page 2, line 7, by inserting after the word "as" where it appears the second time in said line, the following: "a".

Auker,	Gallagher,	Longo,	Rose, W. E.,
Baker,	Gates,	Lovett,	Rosenfeld,
Balthaser,	Gerard,	Lyons,	Rush,
Baughner,	Gillan,	Malloy,	Sarge,
Bentley,	Gillette,	Marks,	Sarra,
Bentzel,	Goodwin,	Maxwell,	Schwab,
Boles,	Gross,	McClanaghan,	Shaffer,
Brey,	Gryskewicz,	McClester,	Shaw,
Bower,	Cyger,	McDermott,	Simons,
Bradley,	Habbyshaw,	McFail,	Skale,
Breth,	Haberlen,	McIntosh,	Snyder,
Bretherick,	Haines,	McKinney,	Sollenberger,
Brunner, P. A.,	Hall,	McLanahan,	Sorg,
Burriss,	Hamilton,	McLane,	Stambaugh,
Chervenak,	Hare,	McMillen,	Stine,
Chudoff,	Harkins,	McMurdy,	Stockham,
Cochran,	Harmuth,	Meichiorre,	Tarr,
Cohen, M. M.,	Harris,	Mihm,	Tate,
Cohen, R. E.,	Heatherington,	Modell,	Taylor,
Cooper,	Heim,	Monks,	Thompson, E. F.,
Cordier,	Herman,	Mooney,	Thompson, R. L.,
Corrigan,	Hersch,	Moran,	Turner,
Croop,	Hewitt,	Moul,	VanAllsburg,
Cullen,	Hirsch,	Munley,	Vincent,
Dalrymple,	Huntley,	Nagel,	Vogt,
Dennison,	Imbrie,	Nunemacher,	Voidow,
DiGenova,	James,	O'Brien,	Wagner,
Dix,	Jefferson,	O'Connor,	Watkins,
Dolon,	Jones, G. E.,	O'Mullen,	Weingartner,
D'Ortona,	Jones, P. N.,	O'Neill,	Weiss,
Duffy,	Keenan,	Owens,	Weish, E. B.,
Early,	Keenan,	Petrosky,	Weish, M. J.,
Elder,	Kline,	Pettit,	Wilkinson,
Elliot,	Knoble,	Polaski,	Williams,
Ely,	Kolankiewicz,	Polen,	Winnor,
Falkenstein,	Komorofski,	Powers,	Wood, L. H.,
Finestone,	Krise,	Prosen,	Wood, N.,
Finnerty,	Lee, E. A.,	Rank,	Woodring,
Fisher,	Lee, T. H.,	Rausch,	Woodside,
Fiss,	Lelsey,	Readinger,	Wright,
Fleming,	Leonard,	Reagan,	Yeakel,
Fletcher,	Lesko,	Reese, R. E.,	Yester,
Flynn,	Levy,	Reynolds,	Young,
		Rhea,	Kilroy, Speaker

NAYS—8

Boorse,	Cadwalader,	Reese, D. P.,	Serrill,
Brunner, C. H.,	Muir,	Royer,	Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1613, as follows:

An Act authorizing counties cities boroughs towns townships school districts and county institution districts to install a system for the collection and payment of current taxes by the purchase at any time during the fiscal year of tax payment certificates by the taxpayers

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

Section 1 Any county city borough town township school district or county institution district shall have power to provide by ordinance or resolution for the collection and payment of its taxes by the use of tax payment certificates as herein provided and such method of collection and payment when installed be in addition to any method now or hereafter prescribed by law

Section 2 Such ordinance or resolution shall provide for the printing at the cost of such political subdivision of a suitable number of tax payment certificates in denominations of five dollars (\$5.00) ten dollars (\$10.00) and twenty dollars (\$20.00) Each certificate shall be attached to a stub and all certificates of the same denomination shall be bound together in books of fifty in such manner that each certificate may be detached from the stub and removed separately The stubs of the certificates shall be consecutively numbered and the number which appears upon the stub shall also be printed upon the

certificate Each stub and certificate shall have printed thereon the denomination of the certificate and a place for the name of the person purchasing the certificate and a place for writing an address thereon

Section 3 The taxing authorities shall deliver a suitable number of the tax payment certificates of each denomination to the tax collector receiver of taxes or officer charged with the collection of the current taxes of such political subdivision and receive the written receipt of such person therefor showing the serial numbers of all certificates so delivered

Section 4 The tax payment certificates shall be issued only for the fiscal year during which they are sold and the total issue in any one year shall not exceed the amount of taxes levied or to be levied by the political subdivision for that fiscal year

Section 5 The tax payment certificates may be purchased at any time during the fiscal year for which issued by any taxpayer from the tax collector receiver of taxes or other official authorized by law to collect or receive the current taxes for the political subdivision and the money paid for such certificates shall be credited against the taxes of such political subdivision charged against such purchaser The tax payment certificates so purchased shall be the receipt for the payment of the face amount thereof on the taxes charged against such purchaser but when the final payment of the taxes levied against such taxpayer for any year shall be paid an official receipt shall be given to such taxpayer by the person receiving such payment which shall show the face amount of such years' taxes any penalties or interest added thereto and the fact that such final payment completes the payment in full of such taxes and the penalties and interest if any added thereto Upon the purchase of any such certificate the official from whom purchased shall write or print the name of the purchaser and the address or description of the property on which the tax is charged which is being credited with the amount of such payment on both the certificate and the stub thereof If the tax for which such purchase price is to receive credit is not charged against real estate then the address of the purchaser shall be written or printed on the certificate and the stub thereof

Section 6 The tax collector receiver of taxes or other official selling such tax payment certificates as herein provided shall use the stubs of all certificates sold or receipts for payments on the taxes charged against the purchaser thereof and such stubs shall be accepted as such by the taxing authorities upon the final settlement of the accounts of such tax collector receiver of taxes or other official authorized to collect or receive such current taxes

Section 7 Any printer employed by the authorities of any political subdivision to print any tax payment certificates or any person engaged in printing the same who shall appropriate to himself or deliver or knowingly permit to be taken any of said certificates by any person other than the taxing authorities or their duly authorized agent and any person who shall wilfully print or cause to be printed any tax payment certificates other than the ones ordered and delivered to the taxing authorities shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars (\$1,000.00) or to undergo an imprisonment of not less than three (3) months nor more than one (1) year or both

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

On the question,

Shall the bill pass finally?

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

YEAS—190

Achterman,	Foor,	Lovett,	Rosenfeld,
Allmond,	French,	Lyons,	Royer,
Auker,	Gallagher,	Malloy,	Rush,

Baker,	Gates,	Marks,	Sarge,
Balthaser,	Gerard,	Maxwell,	Sarra,
Baughner,	Gillan,	McClanaghan,	Schwab,
Bentley,	Gillette,	McClester,	Serrill,
Bentzel,	Goodwin,	McDermott,	Shaffer,
Boles,	Gross,	McFall,	Shaw,
Boney,	Gryskewicz,	McIntosh,	Simons,
Boorse,	Cyger,	McKinney,	Skale,
Bower,	Habbyshaw,	McLanahan,	Snyder,
Bradley,	Haberlen,	McLane,	Soilenberger,
Breth,	Haines,	McMillen,	Sorg,
Bretherick,	Hall,	McSurdy,	Stambaugh,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stine,
Brunner, P. A.,	Hare,	Mihm,	Stockham,
Burris,	Harkins,	Modell,	Tarr,
Cadwalader,	Harmuth,	Monks,	Tate,
Chervenak,	Harris,	Mooney,	Taylor,
Chudoff,	Heatherington,	Moran,	Thompson, E. F.,
Cochran,	Helm,	Moul,	Thompson, R. L.,
Cohen, M. M.,	Herman,	Muir,	Trout,
Cohen, R. E.,	Hersch,	Munley	Turner,
Cooper,	Hewitt,	Nagel	VanAllsburg,
Cordier,	Hirsch,	Nunemacher	Vincent,
Corrigan,	Huntley,	O'Brien,	Vogt,
Croop,	Imbrie,	O'Connor,	Voldow,
Cullen,	James,	O'Mullen,	Wagner,
Dalrymple,	Jefferson,	O'Neill,	Watkins,
Dennison,	Jones, G. E.,	Owens,	Weingartner,
DiGenova,	Jones, P. N.,	Petrosky,	Weiss,
Dix,	Keenan,	Pettit,	Welsh, E. E.,
Dolton,	Keenan,	Polaski,	Welsh, M. J.,
D'Ortona,	Kilne,	Polen,	Wilkinson,
Duffy,	Knoble,	Powers,	Williams,
Early,	Kolankiewicz,	Prosen,	Winnor,
Elder,	Komorowski,	Rank,	Wood, L. H.,
Elllott,	Krise,	Rausch,	Wood, N.,
Ely,	Lee, E. A.,	Readinger,	Woodring,
Falkenstein,	Lee, T. H.,	Reagan,	Woodside,
Finestone,	Lelsey,	Reese, D. P.,	Wright,
Finnerty,	Leonard,	Reese, R. E.,	Yeakel,
Fisher,	Lesko,	Reynolds,	Yester,
Fiss,	Levy,	Rhea,	Young,
Fleming,	Leydic,	Rooney,	Kilroy,
Fletcher,	Lichtenwalter,	Rose, S.,	Speaker.
Flynn,	Longo,	Rose, W. E.,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bil No. 1825, as follows:

An Act establishing a certain section of public road as a State highway and providing for its 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 public road 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 such State highways

Beginning at a point on Route 219 about 0.6 of a mile south of Marsh Creek thence in a general northerly direction through Liberty Township via the village of Blanchard to a point on Route 219 about 0.2 of a mile south of Beech Creek in Centre County a distance of about 1.8 miles

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, considered and agreed to.

On the question,

Shall the bill pass finally?

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

YEAS—190

Achterman,	Foor,	Lovett,	Rosenfeld,
Allmond,	French,	Lyons,	Royer,
Auker,	Gallagher,	Malloy,	Rush,
Baker,	Gates,	Marks,	Sarge,
Balthaser,	Gerard,	Maxwell,	Sarra,
Baughner,	Gillan,	McClanaghan,	Schwab,
Bentley,	Gillette,	McClester,	Serrill,
Bentzel,	Goodwin,	McDermott,	Shaffer,
Boles,	Gross,	McFall,	Shaw,
Boney,	Gryskewicz,	McIntosh,	Simons,
Boorse,	Cyger,	McKinney,	Skale,
Bowe.,	Habbyshaw,	McLanahan,	Snyder,
Bradley,	Haberlen,	McLane,	Soilenberger,
Breth,	Haines,	McMillen,	Sorg,
Bretherick,	Hall,	McSurdy,	Stambaugh,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stine,
Brunner, P. A.,	Hare,	Mihm,	Stockham,
Burris,	Harkins,	Modell,	Tarr,
Cadwalader,	Harmuth,	Monks,	Tate,
Chervenak,	Harris,	Mooney,	Taylor,
Chudoff,	Heatherington,	Moran,	Thompson, E. F.,
Cochran,	Helm,	Moul,	Thompson, R. L.,
Cohen, M. M.,	Herman,	Muir,	Trout,
Cohen, R. E.,	Hersch,	Munley	Turner,
Cooper,	Hewitt,	Nagel	VanAllsburg,
Cordier,	Hirsch,	Nunemacher	Vincent,
Corrigan,	Huntley,	O'Brien,	Vogt,
Croop,	Imbrie,	O'Connor,	Voldow,
Cullen,	James,	O'Mullen,	Wagner,
Dalrymple,	Jefferson,	O'Neill,	Watkins,
Dennison,	Jones, G. E.,	Owens,	Weingartner,
DiGenova,	Jones, P. N.,	Petrosky,	Weiss,
Dix,	Keenan,	Pettit,	Welsh, E. E.,
Dolton,	Keenan,	Polaski,	Welsh, M. J.,
D'Ortona,	Kilne,	Polen,	Wilkinson,
Duffy,	Knoble,	Powers,	Williams,
Early,	Kolankiewicz,	Prosen,	Winnor,
Elder,	Komorowski,	Rank,	Wood, L. H.,
Elllott,	Krise,	Rausch,	Wood, N.,
Ely,	Lee, E. A.,	Readinger,	Woodring,
Falkenstein,	Lee, T. H.,	Reagan,	Woodside,
Finestone,	Lelsey,	Reese, D. P.,	Wright,
Finnerty,	Leonard,	Reese, R. E.,	Yeakel,
Fisher,	Lesko,	Reynolds,	Yester,
Fiss,	Levy,	Rhea,	Young,
Fleming,	Leydic,	Rooney,	Kilroy,
Fletcher,	Lichtenwalter,	Rose, S.,	Speaker.
Flynn,	Longo,	Rose, W. E.,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bil No. 1178, as follows:

An Act providing that the compensation of tax collectors shall be fixed by the taxing authorities at least ninety days prior to their election

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

Section 1 In all cases where the authorities of any political subdivision are authorized by law to fix the compensation of the tax collector thereof or the compensation of the treasurer of such political subdivision acting as tax collector the said authorities shall fix and make public such compensation at least ninety days prior to the election at which such office is to be filled

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

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

On the question,



Shall the bill pass finally?

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

## YEAS—189

Achterman,	Foor,	Longo,	Rose, W. E.,
Allmond,	French,	Lovett,	Rosenfeld,
Auker,	Gallagher,	Lyons,	Royer,
Baker,	Gates,	Malloy,	Rush,
Balthaser,	Getard,	Marcks,	Sarge,
Baugher,	Gillan,	Maxwell,	Sarraf,
Bontley,	Gillette,	McClanaghan,	Schwab,
Bentzel,	Goodwin,	McClester,	Serrill,
Boles,	Gross,	McDermott,	Shaffer,
Boney,	Gryskewicz,	McFall,	Shaw,
Boorse,	Gyger,	McIntosh,	Simons,
Bower,	Hobbyshaw,	McLanahan,	Skale,
Bradley,	Haberlen,	McLane,	Snyder,
Breth,	Haines,	McMillen,	Sollenberger,
Bretherick,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Meichlorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stine,
Burrils,	Harkins,	Modell,	Stockham,
Cadwalader,	Harmuth,	Monks,	Tarr,
Chervenak,	Harris,	Mooney,	Tate,
Chudoff,	Heatherington,	Moran,	Taylor,
Cochran,	Helm,	Moul,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Muir,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Munley,	Trout,
Cooper,	Hewitt,	Nagel,	Turner,
Cordier,	Hirsch,	Nunemacher,	VanAlisburg,
Corrigan,	Huntley,	O'Brien,	Vincent,
Croop,	Imbrie,	O'Connor,	Vogt,
Cullen,	James,	O'Mullen,	Voldow,
Dalrymple,	Jefferson,	O'Neill,	Wagner,
Dennison,	Jones, G. E.,	Owens,	Watkins,
DiGenova,	Jones, P. N.,	Petrosky,	Weingartner,
Dix,	Keenan,	Pettit,	Welsh,
Dojon,	Kenehan,	Polaski,	Welsh, E. B.,
D'Ortona,	Kilne,	Polen,	Welsh, M. J.,
Duffy,	Knoble,	Powers,	Wilkinson,
Early,	Kolanekiewicz,	Prosen,	Williams,
Elder,	Lozowski,	Rank,	Winner,
Elllott,	Kruse,	Rausch,	Wood, L. H.,
Ely,	Lee, A.,	Readinger,	Wood, N.,
Falkenstein,	Lee, T. H.,	Reagan,	Woodring,
Finestone,	Lelsey,	Reese, D. P.,	Woodside,
Flinnerty,	Leonard,	Reese, R. E.,	Wright,
Fisher,	Lesko,	Feynolds,	Yeakel,
Floss,	Levy,	Rhea,	Yester,
Fleming,	Leydic,	Rooney,	Young,
Fletcher,	Lichtenwalter,	Rose, S.,	Kilroy, Speaker
Flynn,			

## NAYS—1

McKinney,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1629, as follows:

An Act to further amend sections one and two of the act approved the eighteenth day of July one thousand nine hundred and thirty-five (P. L. 1286) entitled as amended "An act empowering cities boroughs incorporated towns and townships to charge and collect annual rentals for the use of certain sewers sewage systems and treatment works including charges for operation inspection maintenance repair depreciation and the authorization of indebtedness and interest thereon" taking away the power to enter into contracts with private corporations for the furnishing of sewer or sewage treatment services and the imposition and collection of rentals or charges and the entry of liens in connection therewith

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

Section 1 Sections one and two of the act approved the eighteenth day of July one thousand nine hundred

and thirty-five (P. L. 1286) entitled as amended "An act empowering cities boroughs incorporated towns and townships to charge and collect annual rentals for the use of certain sewers sewage systems and treatment works including charges for operation inspection maintenance repair depreciation and the authorization of indebtedness and interest thereon" as amended by the act approved the fourteenth day of May one thousand nine hundred and thirty-seven (P. L. 630) are hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any city borough incorporated town or township either singly or jointly with other municipalities or townships or both has wholly or partially constructed or shall hereafter wholly or partially construct or complete any sewer or sewage system or sewage treatment works either wholly or partially at public expenses or shall have acquired or shall hereafter acquire the same either wholly or partially at public expense or whenever any city borough incorporated town or township shall singly or jointly with other municipalities or townships or both enter into any contract with any authority established in accordance with law [or with any private corporation] for the furnishing of sewer or sewage treatment services or both for its or their benefit and the benefit of the inhabitants thereof such city borough incorporated town or township may provide by ordinance or resolution enacted either before or after the acquisition or construction thereof or the entry into such contract for the imposition and collection of an annual rental or charge for the use of such sewer sewage system or sewage treatment works from the owners of the property served or to be served by it whether such property is located within or without the corporate limits of such city borough town or township

The annual rental or charge so imposed shall be a lien on the properties served and such liens may be filed in the office of the prothonotary and collected in the manner provided by law for the filing and collection of municipal claims

Section 2 Any such annual rental or charge may be such sum as may be sufficient to meet any or all of the following classes of expense (a) the amount expended annually by the city borough incorporated town or township in the operation maintenance repair alteration inspection depreciation or other expenses in relation to such sewer sewage system or sewage treatment works (b) such annual amount as may be necessary to provide for the amortization of the indebtedness incurred or the non-debt revenue bonds issued by the city borough incorporated town or township in the construction or acquisition of such sewer sewage system or sewage treatment works and interest thereon in order that said improvements may become self-liquidating or as may be sufficient to pay the amount agreed to be paid annually under the terms of any contract with any authority [or private corporation] furnishing sewer or sewage treatment services to such city borough town or township and (c) sufficient to establish a margin of safety of ten per centum Any unused surplus from any preceding year shall be paid into the fund accruing from said rentals or charges and whenever the amount in said funds exceeds the said margin of safety of ten per centum the excess shall be paid into the sinking fund The amount required for sinking fund and interest shall be paid into the sinking fund and the amount so paid including any excess as above provided shall not be used for any other purpose The said annual rental or whatever charge shall be decided upon by the city borough incorporated town or township shall be apportioned equitably among the properties served by the said sewer sewage system or sewage treatment works

Section 2 The provisions of this act shall become effective immediately upon final enactment but shall not affect or operate to set aside any contract heretofore entered into by any city borough incorporated town or township either singly or jointly with any private corporation for the furnishing of sewer or sewage treat-

ment services or both nor shall the same affect any liens heretofore filed but no such contract shall be hereafter renewed or extended

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

On the question,

Shall the bill pass finally?

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

YEAS—190

Achterman,	Foor	Lovett,	Rose, W. E.,
Allmond,	French,	Lyons,	Rosenfeld,
Auker,	Gallagher,	Malloy,	Royer,
Baker,	Gates,	Maxwell,	Rush,
Balthaser,	Gerard,	Marks,	Sarge,
Baughner,	Gillan,	McClanaghan,	Sarra,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott,	Serrill,
Boles,	Gross,	McFall,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gyger,	McKinney,	Simons,
Bower,	Habbyshaw,	McLanahan,	Skale,
Bradley,	Haberlen,	McLane,	Snyder,
Breth,	Haines,	McMillen,	Sollenberger,
Bretherick,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stine,
Burris,	Harkins,	Modell,	Stockham,
Cadwalader,	Harmuth,	Monks,	Tarr,
Chervenak,	Harris,	Mooney,	Tate,
Chudoff,	Heatherington,	Moran,	Taylor,
Cochran,	Heim,	Moul,	Thompson, E.,
Cohen, M. M.,	Herman,	Muir,	Thompson, R.,
Cohen, R. E.,	Hersch,	Munley,	Trout,
Cooper,	Hewitt,	Nagel,	Turner,
Cordier,	Hirsch,	Nunemacher,	VanAllsburg,
Corrigan,	Huntley,	O'Brien,	Vincent,
Croop,	Imbrie,	O'Connor,	Vogt,
Cullen,	James,	O'Mullen,	Voldow,
Dairympie,	Jefferson,	O'Neill,	Wagner,
Dennison,	Jones, G. E.,	Owens,	Watkins,
DiGenova,	Jones, P. N.,	Petrosky,	Weingartner,
Dix,	Keenan,	Pettit,	Weiss,
Dolon,	Fenehan,	Polaski,	Welsh, E. B.,
D'Ortona,	Kline,	Polen,	Welsh, M. J.,
Duffy,	Knoble,	Powers,	Wilkinson,
Early,	Kolankiewicz,	Prosen,	Williams,
Elder,	Komorowski,	Rank,	Winner,
Elliot,	Krise,	Rausch,	Wood, L. H.,
Ely,	Lee, E. A.,	Readinger,	Wood, N.,
Falkenstein,	Lee, T. H.,	Reagan,	Woodring,
Finestone,	Lelsey,	Reese, D. P.,	Woodside,
Finnerty,	Leonard,	Reese, R. E.,	Wright,
Fisher,	Lesko,	Reynolds,	Yeakel,
Fiss,	Levy,	Rhea,	Yester,
Fleming,	Leydic,	Rooney,	Young,
Fletcher,	Lichtenwalter,	Rose, S.,	Kilroy, Speaker
Flynn,	Longo,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1503, as follows:

An Act to amend section six of the act approved the day of one thousand nine hundred and forty-one (Act No ) entitled "An act abating certain tax penalties and interest on unpaid delinquent city taxes in cities of the first and second class on unpaid delinquent school taxes in school districts of the first class and on unpaid delinquent poll poor district institution district and county taxes in counties of the second class prohibiting the sale of real property for the nonpayment of any such taxes for a certain period

preserving certain tax liens and providing for the extension thereof" authorizing the sale of real property within the prohibited time for such sales upon consent of the owner thereof

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

Section 1 Section six of the act approved the

day of one thousand nine hundred and forty-one (Act No ) entitled "An act abating certain tax penalties and interest on unpaid delinquent city taxes in cities of the first and second class on unpaid delinquent school taxes in school districts of the first class and on unpaid delinquent poll poor district institution district and county taxes in counties of the second class prohibiting the sale of real property for the nonpayment of any such taxes for a certain period preserving certain tax liens and providing for the extension thereof" is hereby amended to read as follows

Section 6 In order to enable the taxpayer or owner having the right of redemption under a tax sale to receive the full benefits of this act no real property shall be sold for nonpayment of taxes before November first one thousand nine hundred and forty-one unless the written consent of the registered owner be filed of record in the proceedings and any tax sale shall be adjourned or readjusted or right of redemption extended as often as may be necessary for this purpose If any tax sale is adjourned or readjusted or right of redemption extended after advertisement or sale no additional advertisement or notice shall be necessary for the adjourned or readjusted sale or right of redemption No such adjournment or readjustment or redemption failure to advertise or hold any such tax sale shall invalidate the lien of any tax due and unpaid or sale had subject to redemption but the lien of all such taxes shall be fully preserved during the entire installment period herein provided for if the taxpayer avails himself of the privileges or benefits of this act Provided however That in every case where a taxpayer avails himself of the privileges or benefits of this act the period during which payment of the said delinquent taxes is postponed or continued under this act shall not be included in computing and determining whether or not any right of the tax assessing and levying authority has been barred or lost by reason of the provisions of any statute or statutes now existing or hereafter enacted limiting the right of the said tax levying and assessing authorities to file preserve or maintain the lien of the said taxes

Section 2 This act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS—190

Achterman,	Foor,	Lovett,	Rose, W. E.,
Allmond,	French,	Lyons,	Rosenfeld,
Auker,	Gallagher,	Malloy,	Royer,
Baker,	Gates,	Marks,	Rush,
Balthaser,	Gerard,	Maxwell,	Sarge,
Baughner,	Gillan,	McClanaghan,	Sarra,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott,	Serrill,
Boles,	Gross,	McFall,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gyger,	McKinney,	Simons,
Bower,	Habbyshaw,	McLanahan,	Skale,
Bradley,	Haberlen,	McLane,	Snyder,
Breth,	Haines,	McMillen,	Sollenberger,
Bretherick,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stine,
Burris,	Harkins,	Modell,	Stockham,
Cadwalad r,	Harmuth,	Monks,	Tarr,
Chervena,	Harris,	Mooney,	Tate,
Chudoff,	Heatherington,	Moran,	Taylor,

Cochran.	Helm.	Moul.	Thompson, E. F.
Cohen, M. M.,	Herman,	Muir.	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Munley.	Frout.
Cooper,	Hewitt,	Nagel.	Turner.
Cordier,	Hirsch,	Numemacher.	VanAllsburg,
Corrigan,	Huntley,	O'Brien.	Vincent,
Croop.	Imbrie,	O'Connor	Vogt.
Cullen.	James.	O'Mullen.	Voldow.
Dalrymple,	Jefferson.	O'Neill.	Wagner.
Dennison.	Jones, G. E.,	Owens.	Watkins.
DiGenova.	Jones, P. N.,	Petrosky.	Weingartner.
Dix.	Keenan.	Pettit.	Weiss.
Dolon.	Kenehan,	Polaski.	Welsh, E. B.,
D'Ortona,	Kline.	Polen.	Welsh, M. J.,
Duffy,	Knoble.	Powers.	Wilkinson.
Early.	Kolankiewicz,	Prosen.	Williams.
Elder.	Komorofski.	Rank.	Winnar.
Elliott.	Krise.	Rausch.	Wood, L. H.,
Ely.	Lee, E. A.,	Readtnger.	Wood, N.
Falkenstein,	Lee, T. H.,	Reagan.	Woodring.
Finestone.	Lelsey.	Reese, D. P.,	Woodside.
Finnerty.	Leonard.	Reese, R. E.,	Wright.
Fisher.	Lesko.	Reynolds.	Yeakel.
Fiss.	Levy.	Rhea.	Yester.
Fleming.	Leydic.	Rooney.	Young.
Fletcher.	Lichtenwalter.	Rose, S.,	Kilroy, Speaker
Flynn.	Longo.		

said acquisition; providing for the management of said property by said department and defining the uses to which the property shall be put.

#### House Bill No. 1513.

An Act to further amend section three of the act approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 114), entitled, as amended, "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, corporations, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships, conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by exempting assets held by liquidating trustees.

#### House Bill No. 364.

An Act to amend the act approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 566), entitled "A supplement to the act, approved the second day of June, one thousand nine hundred and 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 reenacted and amended, providing for the payment of compensation to volunteer firemen or their dependents," amplifying the provisions thereof as to persons entitled to such payments.

#### House Bill No. 1494.

A Supplement to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), as amended, 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."

#### House Bill No. 1495.

A Supplement to the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) as amended entitled "An act establishing a Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania Motor Police 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 process and providing penalties."

Whereupon.

The SPEAKER, in the presence of the House, signed the same.

#### NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILL PASSED OVER

There being no objection House Bill No. 934, Printer's No. 1037, was passed over at the request of Mr. McCLANAHAN.

#### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

##### House Bill No. 284.

An Act making an appropriation from the Motor License Fund, to the Department of Property and Supplies for the payment of the costs incurred by that Department in acting as purchasing agent for the Department of Highways.

##### House Bill No. 300.

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania.

##### House Bill No. 1321.

An Act making an appropriation to the Department of Property and Supplies for payment of balances due certain contractors for additions and alterations at the Harrisburg State Hospital.

##### House Bill No. 1334.

An Act making an appropriation to the Department of Property and Supplies for the payment of claims arising in connection with the erection and construction of the Eastern State Penitentiary at Graterford.

##### House Bill No. 611.

An Act providing for the acquisition by the Department of Forests and Waters, in the name of the Commonwealth, of certain lands in Luzerne, Sullivan, and Wyoming Counties, for use as a State Park; making an appropriation for

## PERMISSION TO ADDRESS HOUSE

Mr. CORDIER asked and obtained unanimous consent to address the House.

Mr. Speaker, on July 23rd and continuing until July 30th of this year, the City of Scranton, my native City—and one of the fairest in the diadem of progressive cities of the Commonwealth, will have a dual celebration of its Diamond Jubilee and the Centennial of its founding. I arise at this time to extend to the Members of the General Assembly a sincere invitation to each and every one of them to visit the City of Scranton during this celebration.

I think it would be a lovely spot for the Members to relax after their six months of arduous duties at the State Capitol. I assure the Members who may wish to attend this momentous occasion in the affairs of the third largest City in the Commonwealth that the citizens of Scranton will lay out the "welcome mat" and furnish the key to the City to each and every one.

If you come, you certainly will find many things of interest within the confines of the City of Scranton. There will be parades, exhibits, historical pageants, sports of all kinds, concerts, in fact—everything that would provide for a well rounded education and entertainment of the average human being. You will be in a vicinity which possesses many fine historical sites in the march of progress of our nation. You will drink from the world's greatest water supply and, for the benefit of the younger Members who may attend, I might say that they will feast their eyes on the most glamorous, the most charming and the most beautiful women to be found anywhere in the world.

And so I say to my weary colleagues who have been burdened with a thousand and one duties in this session of the General Assembly—come to Scranton and let the sincere, hearty and old-fashioned native ingenuity of our people furnish you with the pause and relaxation that will refresh you and clear you of your burdens, your heartaches and your headaches that you may have come into possession of in this session. We want you to come and enjoy yourself.

Recently, this House passed a Resolution congratulating my native City upon this dual celebration—I offer the sincere thanks of the citizens of Scranton for the sentiments expressed in the Resolution and for the unanimous vote by which it passed.

## BILL RECOMMENDED

Mr. REUBEN E. COHEN. Mr. Speaker, I move that Senate Bill No. 364, (House Bill No. 1475), Printer's No. 141, entitled:

An Act requiring Receivers of Taxes in and for cities of the first class to furnish certificates of taxes, water rents and claims which are liens on real estate without charge to owners of said real estate or other parties having an interest therein, and limiting the liability of the Receiver for errors in said certificates, and retaining the liens of all unpaid taxes, water rents and claims against such property though the same are not set forth in said certificate, and repealing inconsistent legislation.

be recommitted to the Committee on Cities-First Class for the purpose of further study and possible amendment.

The motion was agreed to.

## REPORTS FROM COMMITTEES

Mr. O'MULLEN, from the Committee on Elections, reported as amended, House Bill No. 602, entitled:

An Act to amend sections eight hundred one and nine hundred seventy-six 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 further defining parties and political bodies; providing procedure for rejection of nomination petitions, papers or certificates in certain cases; imposing duties on the Governor and the Attorney General and imposing additional duties on county boards of elections, the Secretary of the Commonwealth and the courts.

Mr. SARRAF, from the Committee on Workmen's Compensation, reported as amended, House Bill No. 1481, (Senate Bill No. 236), entitled:

An Act to amend section six hundred fifty-four of article six of the act, approved the seventeenth day of May, one thousand nine hundred and 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," providing for appeals from any classification, rule, rate, or schedule of the Insurance Commissioner affecting insurance of employes and employers under the Workmen's Compensation Act of one thousand nine hundred and fifteen and the supplements and amendments thereto and exempting the State Workmen's Insurance Fund from the control of the Rating Bureau and the Insurance Commissioner.

## COMMITTEE MEETING

Banking, Tuesday, June 24, at 10 a. m., E. S. T., in Room 330.

## PUBLIC HEARING

There will be a Public Hearing before the Committee on Banking on House Bill No. 1622, Printer's No. 1032 on Wednesday, June 25, 1941, at 10 a. m., E. S. T., in the Old House Caucus Room—3d Floor.

## MEETING OF ST. PATRICK'S DAY COMMITTEE

Tuesday, June 24 at 9:15 a. m., Eastern Standard Time, in Room 324. The following members are requested to attend: Harry O'Neill, James O'Dare, James McDermott, James J. Malloy, Matthew T. Knoble, J. P. Moran, Thomas B. Stockham, Herbert P. Gates, John J. Finnerty, Chairman, Thomas J. Callahan, Treasurer, Elmer Holland, Benjamin F. James, Ellwood J. Turner, M. J. Welsh, Martin F. Kenehan, Lawrence P. Keenan, Arthur P. Bretherick, Joseph J. O'Mullen, Tom Griffin, Secretary, John Cummings, Ex. Director.

Very important business for this committee will be

transacted. The Chief Clerk, Treasurer of the St. Patrick's Day Dinner reports: Believe it or not there is a balance in the Treasury. A meeting is called at 9:15 a. m. Tuesday, June 24, in Room 324 for the purpose of making disposition of the balance.

#### SERGEANT-AT-ARMS BANQUET

New Governor Hotel—Tuesday, June 24, 1941, at 7:30 p. m., Daylight Saving Time.

This is going to be something different where you can let your hair down and have a real time.

This is non-partisan therefore everybody is invited. Republicans and Democrats.

Tickets are \$1.50 including refreshments.

See the Sergeants for your tickets.

The Philadelphia First Term Democratic Members will hold their First Dinner Tomorrow Nite (Tuesday, June 24, 1941, at 7 p. m. sharp, Daylight Saving Time) at the Raleigh Room of the New Plaza Hotel.

The Committee assures all Rookies of a very enjoyable affair.

#### ADJOURNMENT

Mr. PROSEN. Mr. Speaker, I move that this House do now adjourn until Tuesday, June 24, 1941, at 12 m.

The motion was agreed to, and (at 11:59 p. m.) the House adjourned.