

demnee or into court of the amount of the just compensation payable for the property taken (determined as of the date of filing of the declaration of taking), as finally determined in accordance with the provisions of this act: Provided, That such payment occurs within one year of such final determination: And provided further, That from and after the filing of the declaration of taking until the payment to the condemnee of just compensation for the condemned property, the authority shall have the right to petition the court having jurisdiction of the proceedings to prevent waste, substantial disposition or any transaction with respect to the condemned property other than in the ordinary course of business without obtaining the prior written consent of the authority. The condemnee shall have no right to tender possession of the property or otherwise to demand payment of any compensation prior to such passage of title.

Section 2. This act shall take effect immediately.

APPROVED—The 27th day of December, A. D. 1965.

WILLIAM W. SCRANTON

No. 506

AN ACT

SB 771

Relating to the reimbursement or payments for providing and furnishing optometric services in contracts, certificates and policies by various insurance and other companies, and limiting the provisions in relation thereto.

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

Section 1. Definitions.—As used in this act:

(1) "Insurer" shall mean (i) a nonprofit medical, dental and osteopathic service corporation organized and operated under the provisions of the "Nonprofit Corporation Law," approved May 5, 1933 (P. L. 289), and its amendments, and the "Nonprofit Medical, Dental and Osteopathic Service Corporation Act," approved June 27, 1939 (P. L. 1125),

as reenacted and amended April 18, 1949 (P. L. 587) and May 12, 1949 (P. L. 1261), and its amendments; (ii) a corporation or person incorporated under or doing business in Pennsylvania by virtue of "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), and its amendments; (iii) any person, company, corporation or society authorized, created, doing business or existing under the authority of or pursuant to the act of July 17, 1935 (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," and its amendments; (iv) any person, company, corporation or society incorporated, doing business or existing under, by virtue of, or pursuant to the act of June 4, 1937 (P. L. 1643), entitled "An act relating to certain existing beneficial societies; conferring certain rights, powers and duties upon them, their officers and members; authorizing the payment of benefits by them in the event of sickness, accident, disability or death; regulating such societies and corporations: and limiting the amount for which they may issue membership certificates or policies; providing for reserves; imposing penalties; and repealing certain existing laws and parts of law," and its amendments; (v) any other persons, associations, partnerships, common-law trusts, joint-stock companies, nonprofit corporations, profit corporations or other entity conducting an insurance business.

(2) "Optometrist" shall mean a person duly certified and licensed to practice optometry under the act of March 30, 1917 (P. L. 21), and its amendments.

(3) "Physician" shall mean a person duly certified to practice medicine or osteopathy under the "Medical Practice Act" and its amendments, or the "Osteopathic Act" and its amendments.

Section 2. Whenever any insurer shall provide by contract, policy, certificate or any other means whatsoever for a service or for the partial

or total reimbursement, payment or cost of a service to or on behalf of any of its policyholders, group policyholders, subscribers or group subscribers or any other person or groups of persons, which service is within the lawful scope of practice of a duly licensed optometrist, the person rendering such service or such policyholder, subscriber or other person shall be entitled to such partial or total reimbursement, payment or cost for such service, whether the service is performed by a duly licensed physician or by a duly licensed optometrist. Unless such contract, policy, certificate or other means employed shall otherwise provide, there shall be no reimbursement or payment for ophthalmic materials, lenses, spectacles, eyeglasses and/or appurtenances thereto.

Section 3. The following acts or parts of acts are repealed in so far as they are inconsistent with the provisions of this act:

(1) The act of May 17, 1921 (P. L. 682), known as "The Insurance Company Law of 1921."

(2) The act of May 5, 1933 (P. L. 289), known as the "Nonprofit Corporation Law."

(3) The act of July 17, 1935 (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws."

(4) The act of June 4, 1937 (P. L. 1643), entitled "An act relating to certain existing beneficial societies; conferring certain rights, powers and duties upon them, their officers and members; authorizing the payment of benefits by them in the event of sickness, accident, disability or death; regulating such societies and corporations; and limiting the amount for which they may issue membership certificates or policies; providing for reserves; imposing penalties; and repealing certain existing laws and parts of law."

(5) The act of June 27, 1939 (P. L. 1125), known as the "Nonprofit

Medical Service Corporation Act.”

(6) All other acts or parts of acts in so far as they are inconsistent with the provisions of this act.

Section 4. This act shall take effect immediately.

APPROVED—The 27th day of December, A. D. 1965.

WILLIAM W. SCRANTON

No. 507

AN ACT

SB 773

Amending the act of May 5, 1933 (P. L. 289), entitled “An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations,” making further provisions relating to nonprofit medical, dental and osteopathic service corporations; extending the provisions of said act relating to the furnishing of medical, dental and osteopathic services by nonprofit medical, dental and osteopathic service corporations so as to include the furnishing of optometric services to subscribers and their dependents, and providing that the articles of incorporation of existing nonprofit medical, dental and osteopathic service corporations are amended by the provisions of this act so as to authorize the furnishing of optometric services by doctors of optometry.

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

Section 1. Clause (4) of section 4, act of May 5, 1933 (P. L. 289), known as the “Nonprofit Corporation Law,” amended April 18, 1949 (P. L. 583) and May 12, 1949 (P. L. 1274), is amended to read:

Section 4. Scope of Act.—This act does not relate to, does not affect, and does not apply to—

* * *

(4) Any corporation which, by the laws of this Commonwealth is subject to the supervision of the Department of Banking, the Insurance Department, the Pennsylvania Public Utility Commission, or the Water and Power Resources Board: Provided, however, That corporations, subject by law to the limited supervision of the Insurance Department, may be incorporated under, and in accordance with, the provisions of this