

vote registered on each machine shall be ascertained in like manner, and separately entered in appropriate spaces on the general and duplicate return sheets and statement. The total vote cast for each candidate, and for and against each question, shall then be computed and entered on the general and duplicate return sheets and statement. There shall also be entered on the general return sheet and statement the number of voters who have voted and in primaries, the number of voters who voted in each party, as shown by the numbered lists of voters, district register, and voting check list, and the number on each machine, as shown by the public counters, and also the number registered on the protective counter or device on each machine immediately prior to the opening of the polls and immediately after the closing thereof and sealing of the machine. The number or other designation of each machine used shall also be entered thereon. In the case ¹ of primary elections, duplicate return sheets shall be prepared as for other elections. The registering counters of the voting machine or the paper proof sheets, as the case may be, shall remain exposed to view until the said returns, and all other reports have been fully completed and checked by the inspectors, clerk and overseers, if any. During such time, any candidate, or duly accredited watcher, who may desire to be present shall be admitted to the polling place.

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APPROVED—The 2d day of February, A. D. 1966.

WILLIAM W. SCRANTON

No. 586

AN ACT

HB 1005

Encouraging landowners to make land and water areas available to the public for recreational purposes by limiting liability in connection therewith, and repealing certain acts.

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

Section 1. The purpose of this act is to encourage owners of land to make land and water areas available to the public for recreational purposes by limiting their liability toward persons entering thereon for such purposes.

Section 2. As used in this act:

¹ "of" not in original.

(1) "Land" means land, roads, water, watercourses, private ways and buildings, structures and machinery or equipment when attached to the realty.

(2) "Owner" means the possessor of a fee interest, a tenant, lessee, occupant or person in control of the premises.

(3) "Recreational purpose" includes, but is not limited to, any of the following, or any combination thereof: hunting, fishing, swimming, boating, camping, picnicking, hiking, pleasure driving, nature study, water skiing, water sports and viewing or enjoying historical, archaeological, scenic, or scientific sites.

(4) "Charge" means the admission price or fee asked in return for invitation or permission to enter or go upon the land.

Section 3. Except as specifically recognized or provided in section 6 of this act, an owner of land owes no duty of care to keep the premises safe for entry or use by others for recreational purposes, or to give any warning of a dangerous condition, use, structure, or activity on such premises to persons entering for such purposes.

Section 4. Except as specifically recognized by or provided in section 6 of this act, an owner of land who either directly or indirectly invites or permits without charge any person to use such property for recreational purposes does not thereby:

(1) Extend any assurance that the premises are safe for any purpose.

(2) Confer upon such person the legal status of an invitee or licensee to whom a duty of care is owed.

(3) Assume responsibility for or incur liability for any injury to persons or property caused by an act of omission of such persons.

Section 5. Unless otherwise agreed in writing, the provisions of sections 3 and 4 of this act shall be deemed applicable to the duties and liability of an owner of land leased to the State or any subdivision thereof for recreational purposes.

Section 6. Nothing in this act limits in any way any liability which otherwise exists:

(1) For wilful or malicious failure to guard or warn against a dangerous condition, use, structure, or activity.

(2) For injury suffered in any case where the owner of land charges the person or persons who enter or go on the land for the recreational use thereof, except that in the case of land leased to the State or a subdivision thereof, any consideration received by the owner for such lease shall not be deemed a charge within the meaning of its section.

Section 7. Nothing in this act shall be construed to:

(1) Create a duty of care or ground of liability for injury to persons or property.

(2) Relieve any person using the land of another for recreational purposes from any obligation which he may have in the absence of this act to exercise care in his use of such land and in his activities thereon, or from the legal consequences of failure to employ such care.

Section 8. The act of September 27, 1961 (P. L. 1696), entitled "An act limiting the liability of landowners of agriculture lands or woodlands for personal injuries suffered by any person while hunting or fishing upon the landowner's property," is repealed.

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

Section 9. This act shall take effect immediately.

APPROVED—The 2d day of February, A. D. 1966.

WILLIAM W. SCRANTON

No. 587

AN ACT

HB 1080

Amending the act of August 14, 1963 (P. L. 984), entitled "An act to increase the commerce and prosperity of the people of the Commonwealth, to improve their health and living conditions, and to alleviate the problems created by traffic congestion and the existence of inadequate mass transportation facilities, by authorizing the creation of a transportation authority to function in each metropolitan area consisting of any county of the first class and all nearby counties within a radius of twenty (20) miles of any such first class county, as a body corporate and politic for the purpose of establishing an integrated mass transportation system with all pertinent powers including, but not limited to, leasing, acquiring, owning, operating and maintaining a system for, or otherwise providing for, the transportation of persons, authorizing the borrowing of money and issuance of bonds therefor, conferring the right of eminent domain on the authority; altering the jurisdiction of the Public Utility Commission, authorizing the acceptance of grants from Federal, State and local governments, limiting actions against the authority and exempting it from taxation, authorizing counties and municipalities to enter into compacts for the financing of each authority and to make appropriations in accordance with such compacts, conferring exclusive jurisdiction upon certain courts with respect to matters relating to such authority, and empowering each authority to function outside of the metropolitan area under certain terms and conditions," authorizing the transportation authority created under this act to issue its own bonds for the assets, stocks or bonded indebtedness of any transportation system acquired by the authority, exempting those bonds of the authority from sale to the highest responsible bidder after appropriate advertising, authorizing the sale of bonds for less than par value, authorizing the employment of certain officers and employes on a part-time basis, authorizing the allowance of certain concessions without competitive bidding, under certain terms and conditions.

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