

Section 2. This act shall become effective immediately upon final enactment. When effective.

APPROVED—The 22d day of April, A. D. 1937.

GEORGE H. EARLE

No. 101

AN ACT

To further amend sections nine and eleven of the act, approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws, three hundred ninety-five), entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth; providing the procedure therefor; providing for the reimbursement of the Commonwealth from tolls and charges; and making an appropriation," as amended, making the time for taking possession of any such toll bridge discretionary with the Secretary of Highways; providing for the transfer in certain cases of funds from the Motor License Fund to the Toll Bridge Fund, and the reimbursement thereof to the Motor License Fund from the Toll Bridge Fund out of proceeds of the sale of certain authorized bonds; further providing for the payment of the cost of acquiring such bridges; further regulating the collection of tolls, and reimbursing the Commonwealth for the cost of acquiring such bridges; further providing when such bridges shall be free of tolls; and making an appropriation.

Section 1. Be it enacted, &c., That sections nine and eleven of the act, approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws, three hundred ninety-five), entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth; providing the procedure therefor; providing for the reimbursement of the Commonwealth from tolls and charges; and making an appropriation," as amended by the act, approved the second day of January, one thousand nine hundred thirty-four (Pamphlet Laws, two hundred five), be, and the same is hereby, further amended to read as follows:

Section 9. As soon as the Secretary of Highways and said owners shall have agreed upon the price of any such bridge, or as soon as the Secretary of Highways shall have determined to acquire any such bridge by condemnation proceedings, the Secretary of Highways [if funds sufficient for the purchase of the bridge are available in the Toll Bridge Fund, shall] *may* at once take possession of such bridge in the name of the Commonwealth of Pennsylvania.

The purchase price agreed upon for any such bridge, or the amount of any award or verdict under condemnation proceeding for the acquisition of any such bridge, shall be paid out of moneys in the Toll Bridge Fund

Department of Highways.

Sections 9 and 11, act of April 27, 1927 (P. L. 395), as amended by act of January 2, 1934 (P. L. 205), further amended.

Taking possession of bridge.

Purchase price or award to be paid out of Toll Bridge Fund.

by the State Treasurer upon requisition of the Secretary of Highways.

If insufficient money in Toll Bridge Fund, money shall be transferred from Motor License Fund.

*Should there be no funds or insufficient funds in the Toll Bridge Fund to meet any such requisition, then the amount of the purchase price agreed upon for any such bridge or the amount of any award or verdict under condemnation proceedings for the acquisition of any such bridge, or so much thereof as shall be necessary to increase the amount of moneys in the Toll Bridge Fund to an amount sufficient to meet such requisition and make such payment, shall be transferred to the Toll Bridge Fund from the Motor License Fund by the State Treasurer, and for such purposes, so much money, as may be necessary, is hereby specifically appropriated out of the Motor License Fund. Such amounts of money, as shall be so transferred from the Motor License Fund to the Toll Bridge Fund for such purposes, shall be reimbursed to the Motor License Fund out of the Toll Bridge Fund, from time to time, as the same become available therein from the proceeds realized from the sale of the bonds authorized by law to be issued and sold by the Commonwealth to defray the cost of the acquisition of toll bridges wholly within the Commonwealth.*

Collection of tolls to continue.

Section 11. The Secretary of Highways, upon acquiring any such toll bridge, is hereby directed to continue the collection of tolls and charges on such bridge or bridges, or reconstructed bridges, until the Commonwealth has been reimbursed to the full extent of the original cost of acquiring any and all of such bridges, or as many thereof as may be acquired by the Secretary of Highways within his discretion, and in any event as may be acquired at a cost not exceeding in the aggregate the authorized sum of ten million dollars, together with such interest thereon [at the rate not exceeding six per centum] as shall have been expended by the Commonwealth, and the cost of compensation of toll collectors. All tolls and charges collected by the Secretary of Highways shall be paid into the Motor License Fund. The Department of Highways shall reconstruct, maintain, and repair such bridges in the manner provided by law relating to State highways and bridges. In case of the reconstruction of any such bridge, the Secretary of Highways, with the approval of the Governor, may reconstruct such bridge on the same location or on a location within one mile thereof.

Disposition of tolls.

Reconstruction, maintenance and repair.

When bridges shall become free.

Whenever the tolls collected from [all of] such bridges as may be so acquired, after deduction of all moneys expended by the department for the cost of compensation of toll collectors, shall have become sufficient to reimburse the Commonwealth in full for the cost of acquiring all of such bridges as may have been

*so acquired*, with interest thereon as aforesaid, then all of such bridges *so acquired* shall become, and be thereafter, free bridges. Such bridges shall thereafter remain in the charge and be under the control of the Department of Highways, and shall be thereafter maintained and kept in repair and be rebuilt by the Commonwealth in accordance with the laws relating to State highways and bridges; and the State shall take over and succeed to all agreements made with any public service company for the use by the public service company of such bridges. The cost of such reconstruction, maintenance, and repair of said bridges, after the same have been freed, shall be paid out of moneys appropriated to the Department of Highways for the construction, reconstruction, and improvement of State highways.

Subsequent control.

Agreements with public service companies.

*The Secretary of Highways is hereby authorized to adjust, readjust, and fix, from time to time, the amount of tolls and charges on such bridge or bridges as may be acquired under the provisions of this act, for the purpose of causing each such bridge so acquired to bear, as nearly as conditions and traffic will permit, its proportionate share of the aggregate annual revenues to be received by the Commonwealth from toll bridges so acquired, based on the cost thereof.*

Secretary of Highways may fix amount of tolls.

Section 2. This act shall become effective immediately upon final enactment.

When effective.

APPROVED—The 22d day of April, A. D. 1937.

GEORGE H. EARLE

No. 102

### AN ACT

To amend section fourteen of the act, approved the eighteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand forty-three), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payment therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," as amended, extending the retirement provisions relating to former teachers to those who returned to service only temporarily.

Section 1. Be it enacted, &c., That section fourteen of the act, approved the eighteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand forty-three), entitled "An act establish-

Public school employes' retirement system.