

gheny, or within the county of Philadelphia, at a location suitable to the Governor and the Secretary of Property and Supplies, a suitable office building in each of the respective counties above mentioned, for the use of agencies of the Commonwealth, and to agree, on behalf of the Commonwealth of Pennsylvania, to lease said building for a period of thirty years from the time of the completion thereof, at such rental and subject to such terms and conditions as may be agreed upon. No such contract shall be entered into until the plans and specifications for such proposed building shall have been approved by the Department of Property and Supplies. Any such contract shall provide that upon the termination of said thirty year lease the building so constructed and the ground upon which the same is situated shall become the property of the Commonwealth.

Lease.

Plans and specifications approved.

To become property of Commonwealth.

APPROVED—The 1st day of July, A. D. 1937.

GEORGE H. EARLE

No. 541

AN ACT

To provide for the conservation, protection, improvement, and profitable use of agricultural land resources in the State of Pennsylvania, and for cooperation with the governments and agencies of other states and of the United States pursuant to the provisions of section seven of an act of the Congress of the United States known as the Soil Conservation and Domestic Allotment Act; to assent to and accept the provisions of said act; to constitute and establish the Pennsylvania Agricultural Conservation and Adjustment Committee, and in conformity with the provisions of said act, to designate and authorize said committee, as the State agency of this State, in conformity with such provisions, to formulate, submit to the Secretary of Agriculture of the United States, and administer State plans to carry out the provisions of this act; to define the powers and duties of said committee as such State agency; to provide for the selection of its members, and otherwise to provide for the administration of this act; and making an appropriation.

Short title.

Section 1. Be it enacted, &c., That, Short Title.—This act may be known and cited as “Pennsylvania Agricultural Conservation and Adjustment Act.”

Purposes.

Section 2. Declaration of Purposes.—(a) It is hereby recognized and declared—

(1) That the soil, resources, and fertility of the land of this Commonwealth and the economic use thereof, the prosperity of the farming population of this Commonwealth, and the navigability of the rivers and harbors of this Commonwealth, and the prevention of floods in this Commonwealth, are matters affected with a public interest.

(2) That the welfare of this Commonwealth has been impaired and is in danger of being further impaired by destruction of its soil fertility, by uneconomic use and waste of its land, by exploitation and wasteful and unscientific use of its soil resources, by floods and impairment of its rivers and harbors and of the navigability of its waters and watercourses as a result of soil erosion, and by the decrease in the purchasing power of the net income per person on farms in the Commonwealth as compared with the net income per person in the Commonwealth not on farms.

(3) That said evils have been augmented and are likely to be augmented by similar conditions in other states, and are so interrelated with such conditions in other states that the remedying of such conditions in this Commonwealth requires action by this Commonwealth in cooperation with the governments and agencies of other states and of the United States, and requires assistance therein by the government and agencies of the United States; and

(4) That the formulation and effectuation of this Commonwealth plans in conformity with the provisions of section seven of the Soil Conservation and Domestic Allotment Act is calculated to remedy said conditions and will tend to advance the public welfare of this Commonwealth.

(b) Therefore, in order to promote the welfare of the people of this Commonwealth by aiding in the preservation and improvement of soil fertility, in the promotion of the economic use and conservation of land, in the diminution of exploitation and wasteful and unscientific use of soil resources, in the protection of rivers and harbors against the results of soil erosion, and in the re-establishment at as rapid a rate as is practicable and in the general public interest of the ratio between the purchasing power of the net income per person on farms and that of the net income per person not on farms, that prevailed during the five-year period August, one thousand nine hundred and nine to July, one thousand nine hundred and fourteen, inclusive, as determined from statistics available in the United States Department of Agriculture, and the maintenance of such ratio, the Commonwealth of Pennsylvania hereby assents to and accepts the provisions of the Soil Conservation and Domestic Allotment Act, and adopts the policy and purpose of cooperating with the governments and agencies of other states and of the United States in the accomplishment of the policy and purposes specified in section seven of said act, subject, however, to the following limitations:

(1) The powers conferred in this act shall be used

to assist voluntary action calculated to effectuate such purposes.

(2) Such powers shall not be used to discourage the production of supplies of foods and fibers in this Commonwealth sufficient, when taken together with the production thereof in other states of the United States, to maintain normal domestic human consumption, as determined by the Secretary of Agriculture of the United States from the records of consumption in the year one thousand nine hundred and twenty to one thousand nine hundred and twenty-nine inclusive, taking into consideration increased population, quantities of any commodities that were forced into domestic consumption by a decline in exports of particular commodities, and the quantities of substitutes available for domestic consumption within any general class of food commodities.

(3) In carrying out the purposes specified in this section, due regard shall be given to the maintenance of a continuous and stable national supply of agricultural commodities adequate to meet consumer demand at prices fair to both producers and consumers.

Definitions.

Section 3. Definitions.—(a) The term “person” as used in this act, unless the context otherwise requires, includes an individual, corporation, partnership, firm, business, trust, joint-stock company, association, syndicate group, pool, joint venture, and any other unincorporated association or group.

(b) The expression “other States of the United States” as used in this act shall include Alaska, Hawaii, and Puerto Rico.

Pennsylvania
Agricultural
Conservation
and Adjustment
Committee.

Section 4. Establishment of Pennsylvania Agricultural Conservation and Adjustment Committee.—(a) There is hereby established a committee of seven members which shall be known as the Pennsylvania Agricultural Conservation and Adjustment Committee, and which shall be referred to hereinafter as the “State Committee.”

Farmer
members.

(b) Three members of the State Committee shall be persons experienced in the production of agricultural commodities, selected as provided in section eight hereof, and shall be referred to hereinafter as “farmer members.”

No person shall be eligible for appointment as a farmer member of the State Committee unless he is of legal age, a citizen of and resident in this Commonwealth. Three persons shall be appointed as such farmer members who, except in the case of temporary farmer members provided for in section eight hereof, shall have been duly recommended to the Governor for such membership by the chairmen of county committees of agricultural producers in the Commonwealth, as pro-

vided in section eight hereof. No person shall be appointed as a farmer member if he is a resident in the same agricultural district, established pursuant to section six hereof, as any farmer member whose term includes any part of the term of such person.

(c) The Secretary of Agriculture shall be a member of the State Committee, ex officio.

Secretary of
Agriculture.

(d) One member of the State Committee shall be appointed by the Governor from not less than two representatives of Pennsylvania State College recommended to him by the Board of Trustees of such institution.

Pennsylvania
State College.

(e) Two members of the State Committee shall be farmers, who shall be appointed by the Governor from among those farmers who are participating in the soil conservation program provided for by this act.

Section 5. Designation of State Committee as State Agency.—The State Committee is hereby designated and authorized as the State agency of this Commonwealth to carry out the policy and purposes of this act, and to formulate and administer State plans (hereinafter called "Agricultural plans") pursuant to the terms of this act.

The committee
constituted as a
State agency.

Section 6. Agricultural Districts and Communities.—

(a) Within a reasonable time after its organization, the State Committee shall designate, within the Commonwealth, five agricultural districts, each of which shall be composed of one county or of two or more neighboring counties. As far as practicable, such districts shall be so constituted as to contain approximately equal numbers of agricultural producers. Such districts shall include in the aggregate all of the land within the Commonwealth.

Five agricul-
tural districts.

(b) The State Committee shall also designate, within each county of this Commonwealth, such geographic units which shall be called "Communities," as it determines to be the most convenient for the administration of this act and of State plans adopted pursuant to this act, and shall establish the boundaries of such communities.

"Communities"
in each county.

(c) The State Committee may revise the boundaries of such agricultural districts and of such communities in conformity with the respective standards prescribed herein, at such time or times as it finds that such revision is necessary, either to cause such district or communities or both to conform to said standards, or to provide for the more substantial or more efficient accomplishment of the purposes of this act.

Revision of
boundaries.

Section 7. Community and County Committees.—As soon as practicable after its organization the State Committee shall by regulations provide:

(1) For the organization, within each community, of a voluntary association in which all agricultural pro-

Community
committee.

ducers who are citizens of this Commonwealth and residents in such community shall be entitled to equal participation, for the selection by each such association of a community committee composed of three members of such association, and for the selection of a chairman of each such community committee.

County committee.

(2) For the selection, by the members of such community committees within each county, of a county committee for such county composed of three members of such community committees, and for the selection of a chairman of each such county committee.

Farmer members.

Section 8. Appointment of Farmer Members of the State Committee.—(a) Within sixty days after the effective date of this act, the Governor shall appoint five persons eligible under the terms of this act for appointment as temporary farmer members of the State Committee. Each farmer member so appointed shall serve until the end of the calendar year, and until his successor is appointed and qualifies.

Temporary farmer members.

(b) Prior to December first, one thousand nine hundred and thirty-seven, the chairmen of the county committees of the county association of agricultural producers established pursuant to section seven, who are referred to hereinafter as the "chairmen of the county committees," shall recommend to the Governor, in writing, not less than ten nor more than twenty persons eligible for appointment under the provisions of this act as farmer members of the State Committee. Prior to December thirty-first, one thousand nine hundred and thirty-seven, the Governor shall appoint five farmer members of the State Board, including three from among the persons so recommended, for terms commencing January first, one thousand nine hundred and thirty-eight, of one, two, three, four, and five years, respectively, and until their respective successors are appointed and qualify.

Appointment of farmer members of the State Committee.

Terms.

(c) Prior to December first, one thousand nine hundred and thirty-eight, and each succeeding calendar year, the chairmen of the county committees shall recommend to the Governor, in writing, not less than two persons nor more than four eligible for appointment under the provisions of this act as a farmer member of the State Committee, to succeed a member recommended by the chairmen of such county committees and whose term expires at the end of the year then current. Prior to December thirty-first of each such year, the Governor shall appoint, from among the persons so recommended, one farmer member of the State Committee for a term of five years commencing January first of the next succeeding year, and until his successor is appointed and qualified.

Appointment of successors upon expiration of terms.

Vacancies.

(d) If a vacancy occurs in the office of any farmer

member of State Committee recommended by the chairmen of the county committees, such chairmen shall, within thirty days after the occurrence of such vacancy, recommend to the Governor, in writing, not less than two nor more than four persons eligible under the provisions of this act for appointment to fill such vacancy for the remainder of the unexpired term. Within thirty days of notice of such recommendation, the Governor shall appoint one of the persons so recommended as a member of the State Committee for the remainder of such term.

(e) The provisions of this section with respect to the time within which recommendations or appointments are to be made shall be construed as directory and not mandatory, and no appointment made hereunder shall be held invalid by reason of being made after the time prescribed herein, or because any recommendation was made in connection therewith after the time provided herein.

Time not of the essence.

Section 9. Formulation and Administration of State Agricultural Plans.—(a) The State Committee, after consultation with Pennsylvania State College, is authorized and directed to formulate, for each calendar year commencing with the year one thousand nine hundred and thirty-eight, and to submit to the Secretary of Agriculture of the United States, for and in the name of this Commonwealth, a State plan (hereinafter called "agricultural plan") for carrying out the purposes of this act during such calendar year. In formulating the provisions of such State agricultural plans, the State Committee shall consult with such agencies of this Commonwealth as may be qualified to assist therein.

Formation and administration of State agricultural plans.

(b) The State Committee is authorized to modify or revise any such agricultural plan in whatever manner, consistent with the terms of this act, it finds necessary in order to provide for more substantial furtherance of the accomplishment of the purposes of this act.

Modification or revision of plans by the State Committee.

(c) Each such agricultural plan shall provide for such participation in its administration by such voluntary county and community committees or associations of agricultural producers organized for such purposes as the State Committee determines to be necessary or proper for the effective administration of the agricultural plan.

(d) Each such agricultural plan shall provide, through agreements with agricultural producers or through other voluntary methods, for such adjustments in the utilization of land, in farming practices, and in the acreage or in the production for market, or both, of agricultural commodities, as the State Committee determines to be calculated to effectuate, as substantial accomplishment of the purposes of this act as may reasonably

Agreements, etc. voluntary.

be achieved through action of this Commonwealth, and for payments to agricultural producers, in connection with such agreements or methods, in such amounts as the State Committee determines to be fair and reasonable and calculated to promote such accomplishment of the purposes of this act without depriving such producers of a voluntary and uncoerced choice of action.

Educational programs.

(e) Any such agricultural plan shall provide for such educational programs, with the assistance of Pennsylvania State College and others, as the State Committee determines to be necessary or proper to promote the more substantial accomplishment of the purposes of this act.

(f) Each such agricultural plan shall contain an estimate of expenditures necessary to carry out such agricultural plan, together with a statement of such amount as the State Committee determines to be necessary to be paid by the Secretary of Agriculture of the United States as a grant in aid of such agricultural plan under section seven of the Soil Conservation and Domestic Allotment Act in order to provide for the effective carrying out of such agricultural plan, and shall designate the amount and due date of each installment of such grant, the period to which each such installment relates, and the amount determined by the State Committee to be necessary for carrying out such agricultural plan during such period.

Investigations.

(g) The State Committee shall provide for such investigations as it finds to be necessary for the formulation and administration of such agricultural plans.

State Committee receives funds, etc.

Section 10. Receipt and Disbursement of Funds.—

(a) The State Committee is hereby authorized and empowered to receive, on behalf of this Commonwealth, all grants of money or other aid made available from any source to assist the Commonwealth in carrying out the policy and purposes of this act. All such money or other aid, together with any moneys appropriated or other provisions made by this Commonwealth for such purpose, shall be forthwith available to the State Committee as the agency of the Commonwealth, subject, in the case of any funds or other aid received upon conditions, to the conditions upon which such funds or other aid shall have been received for the purpose of administering this act, and may be expended by the State Committee in carrying out the provisions of this act.

Expenditures.

(b) Subject to any conditions upon which any such money or other aid is made available to the Commonwealth, and to the terms of any applicable agricultural plan made effective pursuant to this act, such expenditures may include, but need not be limited to, expenditures for administrative expenses, equipment, cost of research and investigation, cost of educational activities,

reimbursement to other State agencies or to voluntary committees or associations of agricultural producers for costs of such agencies, committees, or associations of assistance, in the administration of this act, requested in writing by the State Committee and rendered to the State Committee, payments to agricultural producers provided for in any agricultural plan made effective pursuant to this act, salaries of employes, and all other expenditures requisite to carrying out the policy and purposes of this act, including compensation of fifteen dollars per diem for the members of said State Committee when engaged upon their official business in performance of their duties under this act, and including traveling expenses of the members of said State Committee and the employes of said State Committee in connection with their said duties: Provided, That no member of the State Committee shall be entitled to receive compensation for more than sixty (60) days' service in any one calendar year.

Proviso.

(c) The State Committee shall provide for the keeping of full and accurate accounts, showing all receipts and expenditures of moneys, securities, or other property received, held, or expended under the provisions of this act, and shall provide for the auditing of all such accounts, and for execution of surety bonds for all employes entrusted with moneys or securities under the provisions of this act.

Accounts to be kept.

Section 11. Additional Powers and Duties of the State Committee.—(a) The State Committee shall utilize such available services and assistance of other State agencies and of voluntary county and community committees and associations of agricultural producers as it determines to be necessary or calculated to assist substantially in the effective administration of this act.

Assistance of other State agencies.

(b) The State Committee shall have authority to make such rules and regulations consistent with the provisions of this act, and to do any and all other acts consistent with the provisions of this act which it finds to be necessary or proper for the effective administration of this act.

State Committee authorized to make rules and regulations.

(c) The State Committee shall have power and authority to obtain, by lease or purchase, such equipment, office accommodations, facilities, services and supplies, and to employ such technical or legal experts or assistants and such other employes, including clerical and stenographic help, as it determines to be necessary or proper to carry out the provisions of this act, and to determine the qualifications, duties, and compensation of such experts, assistants, and other employes.

Equipment.

Employes.

(d) All other agencies of this Commonwealth are hereby authorized to assist the State Committee in carrying out the provisions of this act, upon written request of the State Committee, in any manner determined by

Other State agencies to assist in carrying out this act.

the State Committee to be necessary or appropriate for the effective administration of this act.

Reports by the
State Committee.

Section 12. Reports.—The State Committee shall compile or require to be made, such reports as it determines to be necessary or proper in order to ascertain whether any agricultural plans provided for in this act are being carried out according to their terms. The State Committee shall provide for compliance on the part of all persons and agencies participating in the administration of any such agricultural plan with such requirements, and may make or cause to be made such investigations as it determines to be necessary or proper to assure the correctness of and to make possible the verification of such reports.

Section 13. Current Appropriation.—The sum of ten thousand dollars (\$10,000) is hereby appropriated to be available to said Agricultural Conservation and Adjustment Committee, as such State agency, in carrying out the purposes of this act during the two fiscal years beginning the first day of June, one thousand nine hundred and thirty-seven.

Constitutional
provision.

Section 14. Provisions for Separability.—The provisions of this act are severable, and if any provision, clause, paragraph, section, or part of this act is held unconstitutional, the decision shall not be construed to affect or invalidate any other provision of this act or the act as a whole. It is hereby declared to be the legislative intent that the remainder of this act would have been adopted had such unconstitutional provision not been included herein.

Inconsistent acts
repealed.

Section 15. Repeal of Inconsistent Legislation.—All acts and parts of acts inconsistent with this act are hereby repealed.

When effective.

Section 16. Time of Taking Effect.—This act shall become effective immediately upon its final enactment.

APPROVED—The 2d day of July, A. D. 1937, except as to the appropriation item of \$10,000 in section 13 of the bill. I withhold my approval from this item because the Federal Government has made no provision for participation, during the biennium of 1937-1939, in the purposes and program provided in the bill.

GEORGE H. EARLE