

or other branches of the combative forces of the United States during any war *or armed conflict* in which the United States was engaged, the Grand Army of the Republic, the United Spanish War Veterans, the Veterans of Foreign Wars of the United States, the American Legion, the Disabled American Veterans, the American Veterans of World War II (AMVETS), and the Marine Corps League, through their local camps, posts and branches in this Commonwealth, are authorized, without expense to the county, to collect the required data and prepare and file with the county commissioners certificates embodying the information provided for in this section.

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Section 2555. Monuments and Memorials to War Veterans.—The commissioners may appropriate money for and provide for the erection of monuments or memorials commemorating the services of any person who has served in the armed forces of the United States or in any women's organization officially connected therewith during any part of any war *or armed conflict* in which the United States has been or may hereafter be engaged. The style and character of such monuments or memorials shall be approved by the State Art Commission.

APPROVED—The 20th day of April, A. D. 1956.

GEORGE M. LEADER

No. 491

AN ACT

To amend the act approved the twenty-ninth day of July, one thousand nine hundred fifty-three (Pamphlet Laws 1050), entitled "An act providing for the acquisition, construction, improvement, operation and maintenance of tunnels for certain highway purposes within the Commonwealth; authorizing the issuance of tunnel revenue bonds, free from taxation and payable solely from tunnel earnings, to pay the cost of such tunnels and improvements thereof; providing for the collection of tunnel tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the tunnels; constituting such bonds legal investments in certain instances; prescribing conditions upon which such tunnels shall become free tunnels; conferring powers and imposing duties on the Pennsylvania Tunnel Commission created hereby; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; and providing for condemnation," by authorizing the use of facsimile signatures and facsimile seal on bonds of the commission; further regulating the maturity of bonds; authorizing preliminary or interim financing through issuance of notes or other obligations of the

commission payable solely from revenues of the commission, including tolls, or from such funds as may be available to the commission for such purpose; providing for the securing of such notes or obligations, constituting the same legal investments in certain instances, and exempting the same from taxation; and authorizing the issuance of tunnel revenue refunding bonds.

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

The Intra-State
Tunnel Revenue
Bond Act.

Section 1. Subsection (d) of section two of the act, approved the twenty-ninth day of July, one thousand nine hundred fifty-three (Pamphlet Laws 1050), entitled "An act providing for the acquisition, construction, improvement, operation and maintenance of tunnels for certain highway purposes within the Commonwealth; authorizing the issuance of tunnel revenue bonds, free from taxation and payable solely from tunnel earnings, to pay the cost of such tunnels and improvements thereof; providing for the collection of tunnel tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the tunnels; constituting such bonds legal investments in certain instances; prescribing conditions upon which such tunnels shall become free tunnels; conferring powers and imposing duties on the Pennsylvania Tunnel Commission created hereby; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; and providing for condemnation," is hereby amended to read as follows:

Subsection (d),
section 2, act of
July 29, 1953,
P. L. 1050,
amended.

Section 2. Definitions.—As used in this act, the following words and terms shall have the following meanings:

* * * * *

(d) The term "cost of tunnel," as applied to a tunnel to be constructed, shall embrace the cost of construction, the cost of all land, property rights, easements and franchises acquired which are deemed necessary for such construction, financing charges, interest during construction, cost of traffic estimates and of engineering and legal expenses, plans, specifications, surveys, estimates of cost and of revenues, other expenses necessary or incident to determining the feasibility or practicability of the enterprise, administrative expense, and such other expenses as may be necessary or incident to the financing herein authorized and the construction of the tunnel and the placing of the tunnel in operation. *Payment of any notes or other obligations hereinafter authorized to be issued to provide for preliminary or interim financing of any tunnel shall be considered payment of the cost*

of the tunnel provided such notes or other obligations were issued for such purpose.

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Section 3.1, act
of July 29, 1953,
P. L. 1050,
added October 21,
1955, P. L. 713,
amended.

Section 2. Section three point one of said act as added by the act, approved the twenty-first day of October, one thousand nine hundred fifty-five (Pamphlet Laws 713) (Act No. 199), is hereby amended to read as follows:

Section 3.1. Assistance by Department of Highways. —(a) The commission is hereby authorized to enter into agreements with the Department of Highways of the Commonwealth for traffic surveys, preparation of plans and specifications, supervision of construction and other engineering services and other preliminary expenses necessary in connection therewith, and the obligation or obligations of the commission under the terms of such agreements shall be considered and deemed to be a part of the cost of the tunnel or tunnels to which such agreement relates and shall be reimbursed to the Department of Highways out of the proceeds of tunnel revenue bonds, *notes or other obligations* authorized by this act.

(b) Whenever lands or interest in lands are required by the commission for promoting its proper purposes, the Department of Highways, with the approval of the Governor, shall have power and authority to acquire such lands or interests therein by purchase or condemnation, in the name of the Commonwealth. The procedure for acquiring such lands or interests in lands and for the payment of the resultant damages by the department for the taking by condemnation shall be in accordance with the provisions of the State Highway Law in such case made and provided. The power hereby conferred upon the department shall not limit or restrict the power of the commission itself to acquire lands or interests in lands as otherwise provided in this act.

(c) For the purpose of aiding the commission in the accomplishment of its purposes, the Department of Highways of the Commonwealth shall have power and authority, with or without consideration, upon such terms as may be determined by the department to be appropriate, to grant, convey, transfer or assign to the commission, and the commission shall have power and authority to so acquire from the department, the right to use for any proper purpose of the commission any lands, easements or rights in land, and any buildings or improvements thereon heretofore or hereafter constructed, made or acquired by the department, whether by purchase, condemnation or otherwise. Any and all such grants, conveyances, transfers or assignments here-

tofore made by the department to the commission are hereby ratified, approved and confirmed. Any amounts paid or payable by the commission to the department for any such grant, conveyance, transfer or assignments shall be considered and deemed to be a part of the cost of the tunnel or tunnels in respect of which acquired and shall be reimbursed to the department out of the proceeds of tunnel revenue bonds, *notes or other obligations* authorized by this act.

Section 3. Sections seven, eight and thirteen of said act are hereby amended to read as follows:

Section 7. Construction of Tunnels.—The commission is hereby authorized and empowered to construct, whenever it shall deem such construction expedient, any tunnel or tunnels, as herein defined, within the Commonwealth. The cost of such construction shall be paid solely by means of or with the proceeds of tunnel revenue bonds, *notes or other obligations* hereinafter authorized. The commission is hereby authorized to purchase within this Commonwealth, solely from funds provided under the authority of this act, such lands, structures, rights of way, franchises, easements and other interests in lands, including lands under water, and riparian rights of any person, copartnership, association, railroad or other corporation, or municipality, or political subdivision, deemed necessary for the construction of any such tunnel, upon such terms and at such prices as may be considered by it to be reasonable and can be agreed upon between it and the owner thereof, and to take title thereto in the name of the Commonwealth.

Section 8. Tunnel Revenue Bonds; *Preliminary or Interim Financing Refunding Bonds*.—(a) The commission is hereby authorized to provide, by resolution, at one time or from time to time, for the issuance of Tunnel Revenue Bonds of the commission for the purpose of paying the cost, as hereinabove defined, of any one or more such tunnels, which resolution shall recite an estimate of each issue of such cost. The principal and interest of such bonds shall be payable solely from the special fund herein provided for such payment. Such bonds shall bear interest at not more than six per centum per annum, payable semi-annually, shall mature at such time or times, not more than [thirty] *forty* years from their date or dates, as may be determined by the commission, and may be made redeemable before maturity, at the option of the commission, at such price and under such terms and conditions as may be fixed by the commission prior to the issuance of the bonds. The principal and interest of such bonds may be made payable in any lawful medium. The commission shall determine the

Sections 7, 8 and 13, act of July 29, 1953, P. L. 1050, amended.

form of the bonds, including the interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds, and the place or places of payment of principal and interest thereof, which may be at any bank or trust company within or without the Commonwealth. Bonds issued by the commission shall be signed by, *or bear the facsimile signature of*, the chairman of the commission [under the] *and the seal of the commission or a facsimile thereof shall be affixed thereto* and attested by the secretary of the commission, and the coupons attached thereto shall bear the facsimile signature of the chairman of the commission. All bonds issued under this act shall contain a statement on their face that the Commonwealth shall not be obligated to pay the same or the interest thereon except from the revenues of such tunnels. In case any of the officers whose signatures appear on the bonds or coupons shall cease to be such officers before the delivery of such bonds, such signatures shall nevertheless be valid and sufficient for all purposes, the same as if they had remained in office until such delivery. All such bonds shall be and shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the Commonwealth. Such bonds and the income thereof shall be exempt from all taxation within the Commonwealth. Provisions may be made for the registration of any of the bonds in the name of the owner as to principal alone and also as to both principal and interest. The commission may sell such bonds in such manner and for such price as it may determine to be appropriate for the accomplishment of the *purposes of this act, taking into consideration the financial responsibility of the purchaser, the terms and conditions of the purchase, and especially the availability of the proceeds of the bonds when required for payment of the cost of the tunnels. Such bonds shall be sold for not less than a price which, computed in relation to the absolute maturity of the bonds in accordance with standard tables of bond values, will show a net return of not over six per centum per annum to the purchaser upon the amount paid therefor. The proceeds of such bonds shall be used solely for the payment of the cost of the tunnels, and shall be checked out by the chairman of the commission under such restrictions, if any, as such commission may provide. If the proceeds of such bonds, by error of calculation or otherwise, shall be less than the cost of the tunnel or tunnels, additional bonds may, in like manner, be issued to provide the amount of such deficit, and unless other-

* "purpose" in original.

wise provided in the trust indenture hereinafter mentioned, shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued for the same tunnel or tunnels. If the proceeds of bonds issued for any tunnel or tunnels shall exceed the cost thereof, the surplus shall be paid into the fund hereinafter provided for the payment of principal and interest of said bonds. Prior to the preparation of definitive bonds, the commission may, under like restrictions, issue temporary bonds, with or without coupons, exchangeable for definite bonds upon the issuance of the latter. Such revenue bonds may be issued without any other proceedings or the happenings of any other conditions or things than those proceedings, conditions and things which are specified and required by this act.

Such bonds are hereby made securities in which all State and municipal officers and administrative departments, boards and commissions of the Commonwealth; all banks, bankers, savings banks, trust companies, saving and loan associations, investment companies, and other persons carrying on a banking business; all insurance companies, insurance associations, and other persons carrying on an insurance business; and all administrators, executors, guardians, trustees, and other fiduciaries; and all other persons whatsoever, who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth, may properly and legally invest any funds, including capital, belonging to them or within their control; and said bonds or other securities or obligations are hereby made securities which may properly and legally be deposited with and received by any State or municipal officers or agency of the Commonwealth for any purpose for which the deposit of bonds or other obligations of the Commonwealth is now or may hereafter be authorized by law.

(b) The commission is hereby authorized to borrow money from time to time, at an interest rate not exceeding six per centum per annum, to provide for preliminary or interim financing of any one or more such tunnels up to, but not exceeding, the estimated total cost of such tunnel or tunnels, and to evidence such borrowing by the issuance of notes or other obligations of the commission payable solely from revenues of the commission, including tolls, or from such funds as may be available to the commission for such purpose. The commission is authorized, in its discretion, to pledge as collateral for such notes or other obligations tunnel revenue bonds issued under the provisions of this act, to provide for the investment of the proceeds of such notes or other obligations pending their application to

the cost of such tunnel or tunnels in direct obligations of or obligations, the principal and interest of which are unconditionally guaranteed by the United States of America or the Commonwealth, and to pledge the same as collateral for such notes or other obligations of the commission, and to renew any such notes or other obligations from time to time. The payment or retirement of such notes or other obligations shall be considered to be payment of the cost of such tunnel or tunnels. All such notes or other obligations shall be executed by the same persons, in the same manner, and with the same effect, as provided herein for the execution of tunnel revenue bonds. All such notes or other obligations shall contain a statement on their face that the Commonwealth is not obligated to pay the same or interest thereon except from revenues of the commission, including tolls, or from such funds as may be available to the commission for that purpose.

All State and municipal officers and administrative departments, boards and commissions of the Commonwealth, all banks, bankers, savings banks, trust companies, savings and loan associations, investment companies, and other persons carrying on a banking business, all insurance companies, insurance associations, and other persons carrying on an insurance business, may properly and legally invest any funds, including capital belonging to them or within their control, in such notes or other obligations, or loan any such funds and accept as evidence of the same such notes or other obligations.

All such notes or other obligations shall have, and are hereby declared to have, all the qualities and incidents of negotiable instruments under the negotiable instruments law of the Commonwealth. Such notes and other obligations and the income therefrom shall be exempt from all taxation within the Commonwealth.

(c) The commission is hereby authorized to provide, by resolution, for the issuance of tunnel revenue refunding bonds of the commission for the purpose of refunding any tunnel revenue bonds, notes or other obligations issued under the provisions of this act and then outstanding. The issuance of such tunnel revenue refunding bonds, the maturities and other details thereof, the rights of the holders thereof, and the duties of the Commonwealth and of the commission in respect to the same, shall be governed by the provisions of this act in so far as the same may be applicable.

Section 13. Cessation of Tolls.—When the particular bonds including all refunding bonds issued for any tunnel or tunnels and the interest thereon shall have

been paid, or a sufficient amount shall have been provided for their payment and shall continue to be held for that purpose, the commission shall cease to charge tolls for the use of such tunnel or tunnels, and thereafter such tunnel or tunnels shall be free and be a part of the State Highway System of Pennsylvania.

APPROVED—The 20th day of April, A. D. 1956.

GEORGE M. LEADER

No. 492

AN ACT

Amending the act of June four, one thousand nine hundred thirty-seven (Pamphlet Laws 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," providing for reinstatement of county employes and officers returning to county employment.

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

Retirement
system.

Section 1. The act of June four, one thousand nine hundred thirty-seven (Pamphlet Laws 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," is amended by adding, after section 17.3, a new section to read:

Act of June 4,
1937, P. L. 1625,
amended by
adding a new
section 17.4.

Section 17.4. Reinstatement on Return to County Employment.—Any contributor separated from county employment by dismissal, resignation, or any other reason, except death or retirement, or any county officer having legally withdrawn from the retirement system, who within five years from the date of such dismissal, resignation or withdrawal or within six months after the effective date of this amendment, whichever is later, returns to county employment and restores to the retirement fund to the credit of the member's annuity reserve account his accumulated deductions as they were at the time of separation, shall have the annuity rights forfeited by him restored. Such payments may be made either in a lump sum or by installments, but in no event shall the installments be less than sufficient to pay such amount by the time the member attains superannuation retirement age.

APPROVED—The 20th day of April, A. D. 1956.

GEORGE M. LEADER