

(b) To visit and inspect, at least once in each year, all State and supervised institutions; to inquire and examine into their methods of instruction, discipline, detention, [imprisonment,] care or treatment, the care, treatment, government or management of their inmates or those committed thereto, or being [imprisoned,] detained, treated or residing therein, the official conduct of their inspectors, trustees, managers, directors or other officer or officers charged with their management by law or otherwise, or having the management, care, custody or control thereof, the buildings, grounds, premises, and equipment thereof, or connected therewith, and all and every matter and thing relating to their usefulness, administration, and management, and to the welfare of the inmates thereof, or those committed thereto or being [imprisoned,] detained, treated or residing therein;

For these purposes, the Secretary of Public Welfare, or other officer, inspector or agent of the department, shall have free and full access to the grounds, premises, and buildings, of and to all the records, books or papers of or relating to any such State or supervised institution, and full opportunity to interrogate or interview any inmate thereof, or any person or persons committed to or being [imprisoned,] detained, treated or residing therein, and all persons connected with any such State or supervised institution as officers, or charged with the management, thereof, by law or otherwise, or in any way having the care, custody, control, or management thereof, or connected therewith as employes, are hereby directed and required to give to the Secretary of Public Welfare, or to such officer, inspector or agent of the department, such means, facilities, and opportunity for such visitation, examination, inquiry, and interrogation, as is hereby provided and required, or as the department, by its duly ordained rules or regulations, may require.

* * * * *

APPROVED—The 13th day of June, A. D. 1961.

DAVID L. LAWRENCE

—
No. 185

AN ACT

Amending the act of April 14, 1925 (P. L. 234), entitled "An act relating to Boarding Houses for Infants; providing for the licensing thereof and the adoption of rules and regulations for the maintenance, operation, and conduct thereof, by the Department of Welfare; and fixing penalties," further defining terms, deleting certain requirements for approval and licenses, imposing powers and duties on the Department of Public Welfare, deleting the right to enter and inspect premises and the requirement for registration, making certain acts illegal, providing penalties and making repeals.

Department
of Welfare.

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

Title of act of
April 14, 1925,
P. L. 234,
amended.

Section 1. The title of the act of April 14, 1925 (P. L. 234), entitled "An act relating to Boarding Houses for Infants; providing for the licensing thereof and the adoption of rules and regulations for the maintenance, operation, and conduct thereof, by the Department of Welfare; and fixing penalties," is amended to read:

AN ACT

New title.

Relating to Boarding Houses for [Infants] *Children*; providing for the licensing thereof and the adoption of rules and regulations for the maintenance, operation, and conduct thereof, by the Department of *Public Welfare*; and fixing penalties.

Section 1 of the
act, amended
December 22,
1959, P. L.
2011, further
amended.

Section 2. Section 1 of the act, amended December 22, 1959 (P. L. 2011), is amended to read:

Definition:
Boarding house
for children

Section 1. Be it enacted, &c., That the term "boarding house for [infants] *children*," as used in this act, shall mean any place, other than institutions duly incorporated for the purpose, maintained, operated, and conducted for hire, gain, or reward, for the reception of any child or children under [three] *sixteen* years of age unaccompanied by parent or guardian, for the purpose of providing such children with care, food, and lodging for a continuous period longer than twenty-four hours unless such children are related to the person or persons maintaining and conducting such place by blood or marriage within the second degree; but the term "boarding house for [infants] *children*" shall not be construed to include such places as are commonly known as day nurseries, where children are not lodged over night, or any place selected by a parent, person standing in loco parentis, or legal guardian, for the temporary care of his children gratuitously or for pay during his absence, neither shall it be construed to include boarding houses [conducted by or] in which [infants] *children* may be placed by *the several courts of the Commonwealth, by any county institution district or by institutions and social agencies, [duly incorporated as non-profit corporations,] whose [corporate] purposes include the placement and care of children, and which are* subject to supervision by the department.

Sections 2 and 3
of the act,
amended.

Section 3. Sections 2 and 3 of the act are amended to read:

License.

Section 2. Maintenance of, Without License, Prohibited.—No person or persons shall maintain, operate, or conduct any boarding house for [infants] *children*,

without having a license therefor issued by the Department of *Public Welfare* of the Commonwealth.

Section 3. Application for License.—Any person or persons desiring to secure a license for maintaining, operating, and conducting a boarding house for [infants] *children* shall make application therefor to the said Department of *Public Welfare* upon blanks to be furnished by the said Department.

Application.

Section 4. Section 4 of the act is repealed.

Section 4 of the act, repealed.

Section 5. Sections 5 and 6 of the act, amended December 15, 1959 (P. L. 1771), are amended to read:

Sections 5 and 6 of the act, amended December 15, 1959, P. L. 1771, further amended.

Section 5. Issuance of License.—The Department of *Public Welfare* shall, when satisfied that the applicant or applicants for such license are proper persons and that the place sought to be used as a boarding house for [infants] *children* is a fit and suitable place for such purpose, and when all the requirements of this act and the rules and regulations of the department have been complied with, issue such license *without cost* and keep a record thereof and of the application therefor.

Issuance of license.

Section 6. Term and Contents of License.—All licenses granted by the department shall be for a period of not more than one year. The license shall state the name of the licensee or licensees, the particular premises where such boarding house may be maintained, operated, and conducted, and the number of [infants] *children* which may be boarded therein at one time.

Section 6. Sections 7, 8 and 9 of the act are amended to read:

Sections 7, 8 and 9 of the act, amended.

Section 7. Number of [Infants] *Children* to be Kept, Posting License.—No greater number of [infants] *children* than is authorized by the license therefor shall be kept at any one time in any boarding house for [infants] *children*, and when required by the Department of *Public Welfare*, said license shall be posted in a conspicuous place on the premises wherein such boarding house for [infants] *children* is to be maintained.

Number of children to be kept.

Posting license.

Section 8. Department of *Public Welfare* to Adopt Rules and Regulations.—The Department of *Public Welfare* may [, with the approval of the State Welfare Commission,] make and adopt rules and regulations not inconsistent with this act, for the issuance and renewal of such licenses and the proper maintenance, operation, and conduct of such boarding houses for [infants] *children* and for the effective enforcement thereof.

Rules and regulations.

Section 9. Revocation of Licenses.—The Department of *Public Welfare* may revoke such license and shall

License may be revoked.

note such revocation upon the face of the record thereof, and shall give written notice of such revocation to the licensee or licensees by delivering the said notice to him or them in person or by leaving it on the licensed premises.

Section 10 of the act, repealed.

Section 7. Section 10 of the act is repealed.

Section 11 of the act, amended.

Section 8. Section 11 of the act is amended to read:

Records to be kept by licensee.

Section 11. Records to be Kept by Licensee.—Every person licensed to maintain, operate, and conduct a boarding house for [infants] *children* shall keep a record, in a form prescribed by the Department of *Public Welfare*, of every [infant] *child* received, the date of its reception, the name and address of the person from whom received, the date of its discharge, and the name and address of the person to whom delivered or discharged.

Section 12 of the act, repealed.

Section 9. Section 12 of the act is repealed.

Sections 13 and 14 of the act, amended.

Section 10. Sections 13 and 14 of the act are amended to read:

Penalty for violation.

Section 13. *Offenses, Penalty.*—Any person [violating any of the provisions of this act] *who operates a boarding house for children without having applied for a license within thirty days after being notified by the department to do so, or who operates a boarding house for children after his license has been revoked*, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine not [exceeding one] *less than five hundred dollars and not more than one thousand dollars*, or to undergo imprisonment not exceeding [one year] *six months*, or both, in the discretion of the court.

Section 14. *Burden of Proof.*—In any prosecution arising out of the violation of this act or the rules and regulations of the Department of *Public Welfare* pertaining to the maintenance, operation, and conduct of boarding houses for [infants] *children*, where a defendant relies in defense upon the relationship of any [infant] *child* to himself, he shall have the burden of proof thereof.

Section 15 of the act amended by adding a new paragraph.

Section 11. Section 15 of the act is amended by adding, at the end thereof, a new paragraph to read:

Acts repealed.

Section 15. Acts Repealed.—The following acts are hereby repealed absolutely:

* * * *

Act of June 25, 1947, P. L. 940.

The act of June 25, 1947 (P. L. 940), entitled, as amended, "An act relating to boarding houses for children; providing for the licensing and inspection

thereof; and the adoption of rules and regulations for the maintenance, operation and conduct thereof, by the Department of Public Welfare; defining offenses; and prescribing penalties.”

Section 12. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 13th day of June, A. D. 1961.

DAVID L. LAWRENCE

No. 186

AN ACT

Amending the act of April 9, 1929 (P. L. 177), entitled “An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined,” creating and redesignating boards of trustees of certain institutions in the Department of Public Welfare.

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

The Administrative Code of 1929.

Section 1. As much as applies to the Department of Public Welfare of section 202, act of April 9, 1929 (P. L. 177), known as “The Administrative Code of 1929,” amended December 1, 1959 (P. L. 1664) and December 21, 1959 (P. L. 1944), is amended to read:

Section 202, act of April 9, 1929, P. L. 177, amended December 1, 1959, P. L. 1664 and December 21, 1959, P. L. 1944, as applies to Department of Public Welfare.

Section 202. Departmental Administrative Boards, Commissions and Offices.—The following boards, commissions, and offices are hereby placed and made departmental administrative boards, commissions, or offices, as the case may be, in the respective administrative departments mentioned in the preceding section, as follows:

* * * * *

In the Department of Public Welfare,
Board of Trustees of the Youth Development Center
at Canonsburg,
Board of Trustees of Allentown State Hospital,
Board of Trustees of Clarks Summit State Hospital,