

geriatric center patients and juvenile delinquents, shall be only as defined in this section:

* * *

(6) To make recommendations to the Advisory Committee for Mental Health and Mental Retardation Advisory Committee for the Aging, and the Advisory Committee for Children and Youth, as the case may be, on matters of policy and program emerging from their intimate knowledge and experience of mental health, geriatric and juvenile delinquency programs in operation.

(b) The provisions of this section shall be applicable to the boards of trustees in all of the State mental institutions, geriatric centers and youth development centers within the department caring for mentally ill, feeble-minded, mentally retarded, mentally deficient, and geriatric center patients and juvenile delinquents, as the case may be [, but shall not apply to the Board of Trustees of the Eastern Pennsylvania Psychiatric Institute].

Section 1101. Mental Health; Departmental Powers and Duties.—The department shall have the power, and its duty shall be:

* * *

(2) Subject to any inconsistent provisions in this act contained, approve or disapprove the advice and recommendations of the several boards of trustees of State mental institutions [other than the Board of Trustees of the Eastern Pennsylvania Psychiatric Institute].

* * *

Section 2. This act shall take effect immediately.

APPROVED—The 19th day of October, A. D. 1967.

RAYMOND P. SHAFER

No. 217

AN ACT

HB 1444

Amending the act of June 22, 1964 (P. L. 84), entitled "An act to codify, amend, revise and consolidate the laws relating to eminent domain," providing for damages in flood control projects.

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

Section 1. Section 602, act of June 22, 1964 (P. L. 84), known as the "Eminent Domain Code" is amended to read:

Section 602. Measure of Damages.—Just compensation shall consist of the difference between the fair market value of the condemnee's

entire property interest immediately before the condemnation and as unaffected thereby and the fair market value of his property interest remaining immediately after such condemnation and as affected thereby, and such other damages as are provided in this article.

In case of the condemnation of property in connection with any urban development or redevelopment project, which property is damaged by subsidence due to failure of surface support resulting from the existence of mine tunnels or passageways under the said property, or by reason of fires occurring in said mine tunnels or passageways or of burning coal refuse banks, the damage resulting from such subsidence or underground fires or burning coal refuse banks shall be excluded in determining the fair market value of the condemnee's entire property interest therein immediately before the condemnation.

In case of the condemnation of property in connection with any flood control project which property is damaged by floods, the damage resulting therefrom shall be excluded in determining fair market value of the condemnee's entire property interest therein immediately before the condemnation; provided such damage has occurred within three years of the date of taking and during the ownership of the property by the condemnee. The damage resulting from floods to be excluded shall include only actual physical damage to the property for which the condemnee has not received any compensation or reimbursement.

APPROVED—The 19th day of October, A. D. 1967.

RAYMOND P. SHAFER

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No. 218

AN ACT

HB 1524

Amending the act of May 28, 1937 (P. L. 955), entitled, as amended, "An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift, or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of obligees of housing authorities; authorizing housing authorities to enter into agree-