

(5) A certification or other evidence that the issuer was incorporated within the United States, is transacting business within the United States, and has assets of one billion dollars or more, or is a wholly owned subsidiary of a Pennsylvania corporation having assets of one billion dollars or more.

The Treasury Department shall not, at any time, have invested in prime commercial paper more than an aggregate of such total sum as the Board of Finance and Revenue shall, by resolution, with the Governor's approval, have prescribed.

APPROVED—The 18th day of June, A. D. 1968.

RAYMOND P. SHAFER

No. 103

AN ACT

SB 614

Amending the act of August 7, 1936 (P. L. 106), entitled, as amended, "An act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for the setting off of benefits; imposing certain charges upon the Commonwealth; providing for appeals; and conferring certain powers on municipalities, counties, and townships, and the Department of Highways," changing the method of accounting for the moneys appropriated by the General Assembly and received from the Federal Government and other states and their political subdivisions for flood control work and projects and all moneys arising from gifts or donations from persons and municipalities or from reimbursements from other State agencies or instrumentalities and abolishing the Flood Control Fund and providing for the transfer of the balances in that fund to the General Fund, including any moneys which may be appropriated to the Water and Power Resources Board for transfer to the Flood Control Fund.

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

Section 1. Section 1, act of August 7, 1936 (P. L. 106), entitled, as amended, "An act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improve-

ments, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for the setting off of benefits; imposing certain charges upon the Commonwealth; providing for appeals; and conferring certain powers on municipalities, counties, and townships, and the Department of Highways," reenacted and amended March 10, 1937 (P. L. 43), is amended to read:

Section 1. Definitions.—The word "board," as used in this act, means the Water and Power Resources Board of the Department of Forests and Waters.

[The word "fund," as used in this act, means the "Flood Control Fund" provided for in this act.]

The word "person," as used in this act, shall include individuals, associations, partnerships, and corporations.

The word "plans," as used in this act, shall mean plans, maps, profiles, estimates of costs, descriptions of property to be taken, damaged or destroyed, and other data and descriptions prepared by the Water and Power Resources Board to establish the area and boundaries of a proposed flood control district, to locate adequate proposed flood control works, to determine the cost of the erection and construction of the same, and to determine property to be taken, damaged or destroyed by the construction of such works; and shall also be construed to include similar plans prepared by any agency of the Federal Government which, before adoption in this Commonwealth, shall have been incorporated into and made a part of any State official plan.

The word "municipality," as used in this act, shall include counties, cities, boroughs, incorporated towns, and townships.

Section 2. Section 6 of the act, amended July 1, 1937 (P. L. 2458), is amended to read:

Section 6. When Official Plans Effective.—Official plans shall become effective for a flood control district, and the district shall be deemed established when the board shall have completed suitable plans and adopted them as official plans and given the notice of such adoption provided for in section four of this act.

The board may proceed with the exercise of the powers granted by this act whenever an official plan has become effective, but no contract shall be let, agreement executed, or condemnation proceeding be begun requiring expenditures exceeding the amount of moneys [in the fund] appropriated for flood control projects and not already encumbered.

Section 3. Section 8 of the act, reenacted and amended March 10, 1937 (P. L. 43), is amended to read:

Section 8. Board Designated as Agency to Receive Federal Moneys.—The board is authorized to receive on behalf of the Com-

monwealth of Pennsylvania any and all Federal moneys, grants, contributions, gratuities, and loans available or hereafter made available by the government of the United States, or any of its agencies or instrumentalities, for State flood control works and improvements under such rules and regulations, not inconsistent with the provisions of this act, as may be prescribed by law of the Congress of the United States, or any Federal agency or instrumentality; and to pay the same over to the State Treasurer, through the Department of Revenue as custodian. All such moneys shall be paid into the [fund created by this act] General Fund as an augmentation to the Appropriations for

Flood Control Projects.

Section 4. Section 10 of the act, amended June 26, 1939 (P. L. 1086), is amended to read:

Section 10. Contracts and Acquisition of Property.—All work of any character whatever performed by the board under the authority of this act, except as hereinafter provided, in connection with any State public flood control works and improvements, involving an expenditure of more than one thousand dollars, shall be performed under written contract let by the board to the lowest responsible bidder after due advertisement as prescribed by the board; except, however, that the board may, with the approval of the Governor, enter into contracts or agreements, without advertisement, with any person, corporation or municipality, covering the removal or relocation of gas, water, and telephone, telegraph, electric light, and electric power lines, highways, railroads, or other facilities, and providing therein for said removal or relocation by the person, corporation or municipality owning such facility. The board may, with the approval of the Governor, acquire any necessary easements and rights-of-way and may pay all costs and damages necessary, arising from and incidental to said removal or relocation. Payment shall be made from the [fund] General

Fund Appropriations for Flood Control Projects.

The board may sell, lease, or otherwise dispose of all property, real, personal or mixed, acquired under the provisions of this act, not needed by the Commonwealth for reservoir or flood control purposes, subject to the approval of the Governor. The moneys received through such sale, lease or other disposition shall accrue to the [fund] General Fund.

Section 5. The third paragraph of section 11 of the act, reenacted and amended March 10, 1937 (P. L. 43), is amended to read:

Section 11. Power of Eminent Domain.—* * *

The board shall have the power to authorize the Federal Government, or any of its instrumentalities or agencies, to acquire outside the Commonwealth such property, easements, rights of way, and water courses as are deemed necessary for the construction of any public works or improvements provided for in this act, and to order the payment therefor out of the [fund] General Fund Appropriations

for Flood Control Projects to the Federal Government, or its instrumentality or agency, not, however, exceeding the unencumbered amounts of money available in the [fund] appropriations. The board shall not agree to pay any tax on or rental for any such property, easements, rights of way or water courses, nor shall the Commonwealth be liable therefor without the consent of the General Assembly.

* * *

Section 6. Section 14 of the act, amended July 25, 1941 (P. L. 506), is amended to read:

Section 14. Relocation, Abandonment and Vacation of Roads, Streets, and Bridges.—The Department of Highways and municipalities may enter into agreements with the board, or Federal agencies with the approval of the board, to relocate roads, streets, bridges, and viaducts necessitated by the construction of any State or Federal flood control works and improvements; and may agree therein to construct new roads, streets, bridges, and viaducts, and pay the cost of the same, or any part thereof, from the Motor License Fund or municipal moneys without any charge or only part of the cost charged against the moneys in the [fund] General Fund Appropriations for Flood Control Projects. The board may consent in any such agreement to pay the whole or any part of the cost of constructing such relocated roads, streets, bridges, and viaducts from the moneys in the [fund] General Appropriations for Flood Control Projects. Such relocated roads, streets, bridges, and viaducts may be constructed by the Department of Highways or by contract let by said department, or the municipality or by the board or by a Federal agency as may be agreed upon. Relocation of State highways shall be made by plans properly approved as is required by law for the relocation of State highway routes, and may be made without regard to terminal or intermediate points mentioned in the law establishing such routes. The portions of State highway routes supplied by such relocations may be abandoned by the Secretary of Highways in the manner provided by law, whereupon said abandoned portions of State highway routes shall revert to the authorities responsible for the maintenance of the public road or highway prior to its having been established as a State highway. Where any State highway route, or part thereof, shall become inundated by the waters of any flood control reservoir, or shall become unnecessary for public use and travel, or burdensome or dangerous due to the construction of any flood control reservoir, the Secretary of Highways, with the approval of the Governor, may abandon as a State highway such State highway route, or part thereof. The Secretary of Highways may also at any time, by and with the consent of the local authorities, by written order declare the portion or portions of road or roads so abandoned to be vacated and closed to public

use and travel and no longer a public road, without limitation because of the length of the road to be vacated.

Section 7. Sections 17, 19 and 20 of the act, reenacted and amended March 10, 1937 (P. L. 43), are amended to read:

Section 17. Source of Finances.—The cost and expenses of making the surveys hereinbefore provided, the preparation of official plans, all advertising, [the erection and construction of public works and improvements, and of all other work of any kind and character authorized by this act, the acquisition of any and all property in connection therewith,] and [of] all other necessary and incidental costs and expenses, including the expenses of the members of the board, salaries, and expenses of engineers, experts, [workmen,] clerks, assistants, and other employes, all court and viewers' costs assessed against the Commonwealth, and all other proper and necessary operating expenses [of any kind and character] deemed necessary by the board to carry into effect the provisions of this act, shall be paid from [appropriations] General Fund General Government Operations Appropriations of the Department of Forests and Waters made by the General Assembly [to the fund, from] as augmented by reimbursements received for the cost of making surveys and preparing plans for the General State Authority or other State instrumentalities or agencies of the Commonwealth. The erection and construction of public works and improvements and of all other work of any kind and character authorized by this act and the acquisition of any and all property in connection therewith shall be paid from the General Fund Appropriations for Flood Control Projects as augmented by Federal moneys available or made available to this Commonwealth as grants, contributions, gratuities, and loans for flood control works and improvements, [from] gifts and donations received from persons, [from] appropriations and contributions made to the board by municipalities, and [from] contributions by other states and their political subdivisions. All moneys so made available shall likewise be available for expenditure by the board to aid and assist in the erection and construction of Federal public control works and improvements beneficial to the people of this Commonwealth of the type which may be constructed under the provisions of this act, after such Federal flood control works and improvements have been incorporated into and made a part of an official State plan.

Section 19. [Flood Control Fund Created; Appropriation of Moneys Therein.—A special fund, to be known as the Flood Control Fund, is hereby established in the State Treasury into which shall be paid all moneys appropriated by the General Assembly and received

from the Federal Government and other states and their political subdivisions, for flood control work and projects, and all moneys arising from gifts or donations from persons and municipalities.

All moneys in the Flood Control Fund, from time to time, are hereby specifically appropriated to the board for the payment of any and all costs and expenses properly payable under the provisions of section seventeen of this act, and for payments on account of any moneys which the board may have agreed to contribute to aid and assist in the erection and construction of any Federal flood control works and improvements and in the erection and construction of flood control works and improvements under compacts and agreements with other states, and for the acquisition of land for flood control and watershed protection.] Separate Accounts for Flood Control Districts.—Where more than one flood control district is created, separate accounts shall be kept for each district, and payments from the [fund] General Fund Appropriations for Flood Control Projects for or on account of any one district shall not exceed the amount credited to such district in said [fund] appropriations.

Section 20. Cooperation with Other States.—The Water and Power Resources Board is hereby designated as the agency of the Commonwealth with power to enter into reciprocal compacts and agreements with other states in developing flood control projects and works, and shall have authority to expend moneys made available and appropriated by [this act] the General Assembly for interstate flood control works and improvements, located within or without this Commonwealth, on rivers and streams entering into or flowing out of or along the borders of this Commonwealth, and to receive, [for payment into the fund] as augmentations to the General Fund Appropriations¹ for Flood Control Projects from other states and their political sub-

divisions, any moneys to aid and assist in the construction of flood control works and improvements located in this State which are deemed beneficial to the inhabitants of other states. Payments on account of such interstate works and improvements may be made by the board direct to the contractor or to the agency of such other state which let the contract or is performing the work of constructing such works or improvements, or to the Federal Government, or any of its instrumentalities or agencies supervising the construction of such works or improvements.

The board is further authorized to empower the Federal Government, or any of its instrumentalities or agencies, to supervise the construction of such interstate flood control works and improvements.

Section 8. All moneys in the Flood Control Fund and all moneys which may be appropriated to the Water and Power Resources Board

¹ "to the General Fund Appropriations" repeated in original.

for transfer to the fund shall be transferred to the General Fund and credited as follows:

(1) All balances of allocations for flood control projects shall be transferred to the General Fund and are hereby appropriated for Flood Control Projects.

(2) All balances of allocations for administration, surveying and planning shall be transferred to the General Fund and credited as an augmentation to the 1967-68 General Fund General Government Operations Appropriation of the Department of Forests and Waters.

Section 9. This act shall take effect immediately.

APPROVED—The 18th day of June, A. D. 1968.

RAYMOND P. SHAFER

No. 104

AN ACT

SB 1055

Amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors," further regulating signs at intersections of streets and highways.

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

Section 1. Subsection (f) of section 1112, act of April 29, 1959 (P. L. 58), known as "The Vehicle Code," added January 7, 1960 (P. L. 2104), is amended to read.

Section 1112. Establishment of Thru Highways, Stop Intersections and Yield Intersections.—

* * *

(f) The Secretary of Highways of this Commonwealth with reference to State highways, and local authorities in cities, boroughs, incorporated towns and townships [of the first class], with reference to highways under their jurisdiction, are hereby authorized to erect ["yield right-of-way"] "yield" signs at one or more approaches to an intersection of streets and highways. No provision of this section shall be construed to authorize the Secretary of Highways, or local authorities with reference to highways under their jurisdiction, to designate 4-way "yield" intersections or to designate multi-way "yield" intersections where two or more highways intersect, except that "yield" signs may be used to control right turns where separate or channelized right turn lanes are provided. Every ["yield right-of-way"] "yield" sign hereafter erected shall conform to the specifications and be erected in accordance with the warrants established by