

Section 202. Poor District System Preserved in Excepted Territory.—In the counties of Carbon, Fulton, Cameron, Centre, Columbia, Lackawanna, [Lycoming,] Montour, Luzerne, Northumberland, Susquehanna, and Wayne, the number of directors, overseers, and authorities in charge of said districts, the manner of their election or appointment, and the administrative system of giving poor relief, shall continue as now vested by law, but all of said poor districts shall for all other purposes be subject to the provisions of this act.

Certain poor districts abolished.

Section 3. The several city, borough, township, and other poor districts as now existing in said county of Lycoming, and the city of Bradford district, in the county of McKean, are hereby abolished as and when the county district is fully organized and ready to receive and care for the poor of said local poor districts as provided in the act to which this is an amendment.

Repeal.

Section 4. All acts and parts of acts, general, local and special, inconsistent with this act are hereby repealed.

APPROVED—The 28th day of May, A. D. 1931.

GIFFORD PINCHOT

No. 126

### AN ACT

To regulate the certification and the registration of persons qualified to teach in accredited elementary and secondary schools in this State; imposing certain duties upon the Department of Public Instruction and the State Council of Education; defining violations; providing penalties, and for appeal to the court of common pleas of Dauphin County.

School teachers.

Elementary and secondary schools.

Certification and registration.

Section 1. Be it enacted, &c., That the Department of Public Instruction shall provide for the registration of persons qualified to teach in elementary and secondary schools of this Commonwealth which are accredited by the Department of Public Instruction as conforming to the official standards promulgated by the State Council of Education.

Powers and duties of Department of Public Instruction.

Section 2. The Department of Public Instruction shall have the power, and its duty shall be—

(a) To provide for and to regulate the certificates and the registration of persons qualified to teach in such schools;

(b) To certify as qualified to practice the art of teaching in such schools any applicant eighteen (18) years of age, of good moral character, not addicted to the use of intoxicating liquor or narcotic drugs, and who has graduated from a college, university or institution of learning approved as herein provided, and

who has completed such professional preparation for teaching as may be prescribed by the State Council of Education, and to register such person upon such proof as the State Council of Education may require that such applicant possesses such qualifications;

(e) To make permanent such certificate and/or registration upon evidence of such teaching experience and such additional preparation as the State Council of Education may by rule require in such schools;

(d) To provide for and regulate limited and permanent registration of such certificates to teach, or certificates of registration to teach, as may be approved by the council;

(e) To accept and endorse or approve for registration certificates to teach, or certificates of registration to teach, issued by other states, countries, and bodies, upon the payment of such fee for registration in this Commonwealth as may be fixed by the State Council of Education: Provided, That the standards of such other state or country as adopted by such body are approved by the State Council of Education as equal to the standards of this Commonwealth;

(f) To keep a record, and it shall be the duty of the department so to do, of every certificate issued, modified, suspended, revoked or reinstated, and registration thereof made by or with the department, and to prescribe the form of such record.

Section 3. The State Council of Education shall have the power, and its duty shall be—

Powers and duties  
of State Council  
of Education.

(a) To adopt and promulgate rules and regulations not inconsistent herewith for the execution and administration of this act;

(b) To establish and promulgate standards of preliminary and professional education and training for teachers in such schools;

(c) To investigate and to determine the acceptability of colleges, universities and institutions of learning of this Commonwealth and of other states and countries issuing credentials, diplomas or degrees to persons who may desire to be registered to teach in such schools of this Commonwealth, to approve such colleges, universities and institutions of learning as are deemed by it to be acceptable, to revoke its approval of such as shall fail to maintain the required standards, and to compile and publish annually a registry of such approved colleges, universities and institutions of learning;

(d) To prescribe the professional title or other designation which a registrant may use in connection with his or her name in the practice of the art of teaching, to regulate the use thereof and prohibit its use by non-registrants, and to prosecute persons who illegally use such title or designation;

(e) To investigate any violation of this act or application for reinstatement of certificate or registration, and to conduct hearings, either before the council or a committee or examiner appointed by the council to hear and report to it upon such violation or application, and to discipline or prosecute such violations;

(f) To suspend and revoke, by majority action of the entire council, the certificate and/or registration of any person found guilty, upon hearing of immorality, incompetency, intemperance, habitual use of drugs or narcotics, cruelty, negligence, or for violation of any provision of this act; and it shall be the duty of the council to suspend the certificate and/or registration of any person indicted for a crime or misdemeanor involving moral turpitude, or as a drug addict, whenever a certified copy of such indictment shall have been filed with the council, and to revoke the same upon conviction thereof whenever a certified copy of the verdict or judgment or sentence of the court shall have been filed with the council, and to reinstate such certificate and/or registration in any case where, after hearing, a majority of the entire council shall deem the same just and proper;

(g) To submit biannually to the Department of Public Instruction an estimate of the financial requirements of the council for administrative expenses.

Revocation or suspension of registration.

Complaint.

Notice of hearing.

Appeal.

Appeal not to act as supersedeas.

Section 4. Before any certificate to teach and/or registration of a certificate under this act is suspended or revoked by the council, except as otherwise herein provided, the holder thereof shall be furnished with a written copy of the complaint made against him or her and have an opportunity to be heard personally and by counsel before the council or its committee or examiner appointed by it for that purpose. At least ten (10) days' written notice of the time and place of such hearing shall be given such registrant, by registered mail addressed to his or her post office address as shown on the registration docket or other record or information in possession of the council. Any person aggrieved by the action of the council in suspending or revoking any certificate and/or any registration may appeal from such order of the council to the court of common pleas of Dauphin County. Appeals from order suspending or revoking a certificate and/or registration shall be taken within thirty (30) days after entry of such order, of which action immediate notice shall be given the registrant by the council by registered mail. Such appeal shall not act as a supersedeas. The court shall fix a time and place at which the appeal shall be heard by the court. At the hearing of the appeal, the court shall, upon the record certified to it by the council, determine whether or not the order appealed from is reasonable and in conformity with law. The order shall be prima

facie evidence of the reasonableness thereof and the burden of proving the contrary shall be on the appellant. The court may sustain or dismiss the appeal and its action shall be final.

Section 5. The records of the State Council of Education and of the Department of Public Instruction, authorized and maintained under this act, shall be public and open to inspection during business hours. Copies thereof, duly certified by the Secretary of the Council and the Superintendent of Public Instruction, shall be received in evidence in all courts and elsewhere.

Section 6. All fees required to be collected under the provisions of this act shall be received by the Department of Public Instruction and by it paid, through the Department of Revenue, into the State Treasury for the use of the Commonwealth.

Section 7. Any person now holding a provisional professional, a permanent State certificate, a State normal school certificate, a State normal school diploma, a provisional college certificate, a permanent college certificate, a temporary or permanent certificate for teachers of kindergartens, drawing, vocal music, mechanical drawing, physical training, and other special branches, issued by the Superintendent of Public Instruction of this Commonwealth, a special temporary certificate, a special permanent certificate, a standard temporary certificate, a standard permanent certificate, issued by the Department of Public Instruction as provided by law or the rules and regulations of the State Council of Education, shall hereafter continue to possess the same rights and privileges with respect to the practice of the art of teaching as heretofore, and may register such certificate under the provisions of this act within two years from the date of the approval of this act, subject, however, to the right of the council to suspend or revoke such registration for causes set forth in this act, and subject to the right of said council to require such person to register limited certificates annually with the council as in this act provided.

Section 8. It is unlawful for any person within this Commonwealth to assume or use the professional title or other designation which any registrant may use in connection with his or her name in the practice of the art of teaching, which may be prescribed in accordance with this act, unless he or she has a legal and valid certificate of registration issued under this act, or to forge any such certificate of registration, or alter any certificate of registration so issued.

Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall, for a first offense, be sentenced to pay a fine not exceeding five hundred dollars (\$500.00), or to suffer imprisonment not exceeding six

**Burden of proof.**

**Records to be public.**

**Copies of evidence.**

**Disposition of fees.**

**Present holders of certificates.**

**Registration of certificate within two years.**

**Registration of limited certificates.**

**Illegal use of professional title.**

**Forging or altering certificate.**

**Violation of act. Misdemeanor.**

**Penalty.**

- (6) months, or both, at the discretion of the court; and, upon conviction of a second or subsequent offense, shall be sentenced to pay a fine of not less than five hundred dollars (\$500.00) or more than one thousand dollars (\$1,000.00), and to suffer imprisonment for a term of not less than six (6) months or more than one (1) year.
- Second offense.**
- When effective.** Section 9. This act shall take effect immediately upon its passage, and approval by the Governor.
- Repeal.** Section 10. All acts or parts of acts inconsistent herewith are hereby repealed: Provided, That this act shall not be construed to amend or repeal the act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), as amended, or any part thereof.
- Proviso.**

APPROVED—The 29th day of May, A. D. 1931.

GIFFORD PINCHOT

No. 127

AN ACT

Authorizing the Commonwealth to purchase at judicial sale and thereafter to hold or sell any property upon which it has a mortgage or lien; providing for the payment of the cost of such acquisitions; and making an appropriation.

**Mortgages or liens held by Commonwealth.**

**Purchase of property at judicial sale authorized.**

**Title.**

**Fund out which costs are to be paid.**

**Appropriation. Sale of property acquired.**

Section 1. Be it enacted, &c., That at any judicial sale of any property upon which the Commonwealth, or any department, board, or commission thereof, holds a mortgage or has a lien or liens of any nature whatsoever arising out of unpaid taxes, bonus, interest, penalties, or any other public account, the Commonwealth, acting through the Department of Justice, is hereby authorized and empowered to bid in such property, if necessary, for the protection of its interest. Title shall be taken in the name of the Commonwealth.

Section 2. The cost of acquiring property at judicial sale, as provided by this act, shall be defrayed from the fund in the State Treasury into which the moneys secured by the mortgage or lien are payable by law, and for this purpose as much of the moneys in such funds as may be necessary are hereby appropriated.

Section 3. Any property purchased under the provisions of this act shall be held until such time as the department, board, commission, or officer, who or which held the mortgage or was charged with the duty of collecting the money covered by the lien, shall believe it advisable to dispose of the same. Thereupon such department, board, commission, or officer may dispose of the property upon such terms and conditions as he or it may deem advisable and the Department of Justice may approve. It shall be lawful to sell the property for cash

or for part cash and a mortgage to run from the purchaser to the Commonwealth. When the terms and conditions of such sale shall have been agreed upon and approved, the Department of Justice is hereby authorized and directed to execute and deliver a deed or other appropriate document conveying or transferring the property. Any such conveyance or transfer shall be free and clear of all liens and encumbrances in favor of the Commonwealth, except the lien of a purchase money mortgage, if any, contemporaneously executed and delivered to the Commonwealth.

Department of  
Justice to execute  
deed.

Liens and  
encumbrances.

Purchase by  
State officer or  
employee  
prohibited.

Effective date.

Section 4. It shall be unlawful for any State officer or employe, or any member of the family of such officer or employe, to purchase, directly or indirectly, any property acquired by the Commonwealth at a judicial sale under the provisions of this act.

Section 5. This act shall become effective on the first day of June, one thousand nine hundred and thirty-one.

APPROVED—The 29th day of May, A. D. 1931.

GIFFORD PINCHOT

No. 128

## AN ACT

Providing for the creation and incorporation as municipal corporations, and for the management and operation, of water supply districts to furnish and supply water to the public residing therein and to public and private corporations and the Commonwealth, and its agencies, through the construction of water-works and facilities, and/or the acquisition of the property, water-works, rights, and franchises of public and private corporations, copartnerships, associations, and individuals furnishing and supplying water to the public in said districts; prescribing the powers and duties of such districts, and the officers thereof; conferring jurisdiction on courts of common pleas in connection therewith; and imposing certain costs and charges preliminarily on counties.

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