

ment of Internal Affairs within sixty days after the close of the fiscal year, signed by each auditor, and duly verified by the oath of one of the auditors. Any auditor refusing or wilfully neglecting to file such report, shall, upon conviction thereof in a summary proceeding, brought at the instance of the Department of Internal Affairs, be sentenced to pay a fine of five dollars for each day's delay beyond said sixty days, and costs. All fines recovered shall be for the use of the Commonwealth.

The report to the Department of Internal Affairs shall be presented on a uniform form, prepared and furnished as herein provided.

Section 2. The provisions of this act shall become effective immediately upon final enactment.

APPROVED—The 21st day of May, A. D. 1943.

EDWARD MARTIN

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No. 197

AN ACT

To further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, two thousand fifty-one), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," declaring the legislative intent; eliminating the requirement that in certain cases when relief is given milk orders shall be included in such relief; redefining certain of the powers of the Department of Public Assistance and the State Board of Public Assistance; extending the powers of county boards of assistance; and making provision reciprocal with other states for assistance to certain aged persons.

"Public Assistance Law."

Section 1, act of June 24, 1937, P. L. 2051, amended.

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

Section 1. Section one of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, two thousand fifty-one), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children,

aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," is hereby amended to read as follows:

Section 1. Short Title and Legislative Intent.—This act shall be known, and may be cited, as the "Public Assistance Law." Title.

*It is hereby declared to be the legislative intent that the purpose of this act is to promote the welfare and happiness of all the people of the Commonwealth, by providing public assistance to all of its needy and distressed; that assistance shall be administered promptly and humanely with due regard for the preservation of family life, and without discrimination on account of race, religion or political affiliation; and that assistance shall be administered in such a way and manner as to encourage self-respect, self-dependency and the desire to be a good citizen and useful to society.*

Section 2. Section two of said act, as last amended by section one of the act, approved the twenty-fifth day of July, one thousand nine hundred forty-one (Pamphlet Laws, five hundred nine), is hereby further amended to read as follows:

Section 2 of said act further amended.

Section 2. Definitions.—As used in this act, unless otherwise indicated, Definitions.

"Assistance" means assistance in money, [milk] goods, shelter, medical care, work relief or services, provided from or with State or Federal funds, for indigent persons who reside in Pennsylvania and need assistance to enable them to maintain for themselves and their dependents a decent and healthful standard of living, and for indigent homeless or transient persons. The word, assistance, shall be construed to include pensions for those blind persons who are entitled to pensions, as provided in this act, and to include also burial for those indigent persons who were receiving assistance at the time of their death.

"General Assistance" means assistance provided from or with State funds, only to persons entitled under this act to assistance, other than dependent children, aged persons, and blind persons.

“Local Board” means any county board of assistance, established under the provisions of this act.

The masculine pronoun includes the feminine.

Section 3. Clauses (b), (c) and (1) of section four of said act, clause (b), as last amended by the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-nine (Pamphlet Laws, one thousand eighty-nine), clause (c), as amended by section two of the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-nine (Pamphlet Laws, one thousand ninety-one), and clause (1), as added by the act, approved the twenty-fourth day of July, one thousand nine hundred forty-one (Pamphlet Laws, four hundred seventy-three), are hereby further amended to read as follows:

Section 4. General Powers and Duties of Department of Public Assistance.—

The Department of Public Assistance shall have the power, and its duties shall be:

\* \* \* \*

(b) To establish, with the approval of the State Board of Public Assistance, rules, regulations and standards, consistent with the law, as to eligibility for assistance and as to its nature and extent. [Provided, however, That such rules and regulations shall provide that in any case in which the report of the investigating or interviewing employe shall disclose that there are dependent children of the applicant for assistance, or when it shall appear from such report that any other person who is an applicant requires the use of milk for his physical welfare, fresh fluid milk shall be provided through orders to milk dealers of the relief recipients' selection, holding permits from the State Department of Health, and the cost thereof shall be a charge against the allowance awarded to the applicant for assistance.]

(c) To [supervise] *exercise general supervision of* the local boards, and to establish for such boards, rules, regulations and standards, [consistent with law] *as to accounting and as to forms, records and reports so as to effect reasonable uniformity.*

\* \* \* \*

[(1)] (k) To take measures not inconsistent with the purposes of this act and, with the approval of the State Board of Public Assistance [to promote the rehabilitation of persons receiving assistance and to help them to become independent of public support, including measures designed to effect the fullest cooperation] *when other funds or facilities for such purposes are inadequate or unavailable, to provide for special needs of individuals eligible for assistance, to relieve suffering and distress arising from handicaps and infirmities, to promote their rehabilitaton, to help them if possible to*

*become self dependent and to cooperate to the fullest extent with other public agencies empowered by law to provide vocational training, rehabilitative [and] or similar services.*

Section 4. Subsection (a) of section five and section six of said act, are hereby amended to read as follows:

Sections 5 and 6  
of said act  
amended.

Section 5. Establishment of County Boards of Assistance.—(a) For each county of the Commonwealth, there is hereby established a county board of assistance, to be known as the County Board of Assistance, which shall be composed of men and women, to be appointed as hereinafter provided. *The board shall be composed as far as possible of persons engaged or interested in business, social welfare, labor, industry, education or public administration.* The members of the board shall serve without compensation, but shall be reimbursed for necessary expenses. No member of a board shall hold office in any political party. Not all of the members of a board shall belong to the same political party.

Section 6. [Rules and Regulations.—The State Board of Public Assistance shall have the power to promulgate rules and regulations concerning the administration of this act, including the establishment of standards of eligibility for assistance, and its nature and extent.

The county boards shall determine the eligibility of an applicant, under the standards so established, subject to the right of appeal, as provided under subsection (d) of section seven of this act.] *Powers and Duties of State Board of Public Assistance.—The powers and duties of the State Board of Public Assistance shall be regulatory and advisory, and not administrative or executive. It shall be a policy-making body, determining the outlines and principles of administration upon which public assistance shall be administered by the local boards.*

Section 5. Section seven of the act, as amended by section two of the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-nine (Pamphlet Laws, one thousand ninety-one), is hereby amended by adding immediately after clause (a) thereof, three new clauses to read as follows:

Section 7 of  
said act amended  
by adding new  
clauses.

Section 7. Powers and Duties of County Boards of Assistance.—Each county board of assistance shall have the power, and its duty shall be:

\* \* \* \* \*

(b) *To determine the number of its employes and to direct and supervise their services so as to attain the maximum degree of efficiency.*

(b.1) *To administer public assistance in the county and determine the eligibility of applicants in accordance with law and the general principles and policies determined by the State Board of Public Assistance.*

(b.2) *To take measures to promote the welfare and self-dependency of individuals and families eligible for assistance by helping them to secure rehabilitative, remedial or other constructive aid, through local community resources, or in the absence or inadequacy of such resources, through direct provision of such aid, in accordance with rules, regulations and standards adopted by the department with the approval of the state board.*

Section 9, act of  
June 26, 1939,  
P. L. 1091, as  
last amended  
by act of  
July 28, 1941,  
P. L. 546,  
further amended.

Section 6. Clause (b) of section nine of said act, as amended by section three of the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-nine (Pamphlet Laws, one thousand ninety-one), is hereby further amended to read as follows:

Section 9. Eligibility for Assistance.—Except as hereinafter specifically otherwise provided in the case of pensions for the blind, all persons of the following classes, except those who hereafter advocate and actively participate by an overt act or acts in a movement proposing a change in the form of government of the United States by means not provided for in the Constitution of the United States, shall be eligible to receive assistance, in accordance with rules, regulations and standards established by the Department of Public Assistance, with the approval of the State Board of Assistance, as to eligibility for assistance, and as to its nature and extent:

\* \* \* \*

(b) Aged Persons. An aged person is defined as one who (1) is seventy years of age, or more, or who, after December thirty-first, one thousand nine hundred thirty-nine, is sixty-five years of age, or more, (2) resides in this Commonwealth, and has so resided therein for five years during the nine years immediately preceding the date of making application for assistance, and has so resided continuously for one year immediately preceding the date of making such application, *except that in all cases where the state in which the applicant last had a residence makes similar provision for persons whose last residence was in this Commonwealth, residence in this Commonwealth of one year immediately preceding the date of application shall be sufficient*, (3) is not, at the time of receiving assistance, an inmate of a public institution, and (4) has not conveyed or transferred his real or personal property of the value of five hundred dollars (\$500.00), or upwards, without fair consideration, within two years preceding the date of making such application.

Absence in the service of the Commonwealth, or of the United States, shall not be deemed to interrupt residence of an aged person in the Commonwealth, if a domicile has not been acquired outside the Commonwealth.

Section 7. The provisions of this act shall become effective immediately upon its final enactment.

Act effective immediately.

APPROVED—The 21st day of May, A. D. 1943.

EDWARD MARTIN

No. 198

AN ACT

Authorizing the Governor of the Commonwealth of Pennsylvania, with the advice of the Attorney General and the approval of certain members of the General Assembly, for a limited period of time, to suspend or modify laws, either in whole or in part, under certain circumstances, during the existence of the present war.

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

Suspension or modification of laws during the existence of the present war.

Whereas, It is the desire of the General Assembly of the Commonwealth to assist and support to the fullest extent the President of the United States in discharging his duties as Commander-in-Chief of the Army and Navy and of the militia of the several states, and

Whereas, It is hereby declared that it is the policy of the General Assembly of the Commonwealth of Pennsylvania that no act of the General Assembly of this Commonwealth should hinder, impede, delay or interfere with the conduct of the war effort, and that provision be made for the temporary suspension or modification of the enforcement of such acts when the General Assembly of this Commonwealth is not in session, and

Whereas, Article I, section 12 of the Constitution of the Commonwealth of Pennsylvania provides that no power of suspending laws shall be exercised unless by the Legislature or by its authority:

Section 1. Upon the request of the President of the United States, the Secretary of War, the Secretary of the Navy, or the Attorney General of the United States, when accompanied by a statement of the Attorney General of the United States that an act of the General Assembly or any part thereof will conflict with the enforcement of a particular Federal statute, or lawful regulation relating to the prosecution of the war, or will hinder, impede, delay or interfere with the conduct of the war effort, the Governor, with the advice of the Attorney General of this Commonwealth, may at any time when the General Assembly is not in session promulgate orders suspending or modifying the enforcement of such act of the General Assembly in whole or in part, generally or in its application to particular areas, classes of persons, corporations or circumstances,

Governor may act to suspend, if General Assembly is not in session, under certain circumstances.