

June 6, 1942, and recorded June 19, 1942, in Centre County Deed Book Volume 173, at page 377. The said Austin C. Lynn M. D. died testate on December 29, 1949. For authority of the executors of the estate of Austin C. Lynn to convey the within described land, see Will Book "M," at page 394, in the office of the Register of Wills of Centre County.

Section 2. Such land shall not be acquired until title thereto has been approved by the Department of Justice.

Approval of title.

Section 3. The sum of three thousand dollars (\$3000), or as much thereof as may be necessary, is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of such tract of land and the expenses incidental thereto, including the completion of an abstract of title thereon.

Appropriation.

Section 4. The provisions of this act shall become effective immediately upon final enactment.

Act effective immediately.

APPROVED—The 22nd day of August, A. D. 1953.

JOHN S. FINE

No. 387

AN ACT

To further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 2051), 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," by further prescribing the powers and duties of the Department of Public Assistance and the local boards; authorizing the Department and local boards to disclose the identity of recipients of assistance and amounts received; further defining "assistance" and those persons eligible for assistance; further prescribing residence requirements with respect to assistance; changing the terms of county board members; clarifying the provisions with respect to the payment to the United States of its share of moneys received by way of restitution; prescribing additional penalties; and repealing a certain act.

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

"Public Assistance Law."

Section 1. Section 2 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 2051), entitled "An act relating to public assistance; providing for and regulating assist-

Section 2, act of June 24, 1937, P. L. 2051, as last amended by act of May 21, 1943, P. L. 434, further amended.

ance 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," as last amended by the act, approved the twenty-first day of May, one thousand nine hundred forty-three (Pamphlet Laws 434), is hereby further amended to read as follows:

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

"Assistance" means assistance in money, 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] *provide* 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 *and disabled persons*.

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

The masculine pronoun includes the feminine.

Clauses (a), (c) and (d) of section 4, said act, clauses (a) and (d) of which were amended by act of June 26, 1939, P. L. 1091, and clause (c) of which was last amended by act of May 21, 1943, P. L. 434, amended or further amended.

Section 2. Clauses (a), (c) and (d) of section 4 of said act, *clauses (a) and (d) of which were amended by the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-nine (Pamphlet Laws 1091), and clause (c) of which was last amended by the act, approved the twenty-first day of May, one thousand nine hundred forty-three (Pamphlet Laws 434), are hereby amended or further amended to read as follows:

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

* "clause" in original.

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

(a) To allocate to the several assistance programs funds with which to provide assistance and funds for administrative expenses, and as may be needed, from time to time, to keep reasonable emergency funds in the hands of local boards, which shall be used, *subject to the rules, regulations and standards of the department*, by the executive director for the furnishing of assistance and pensions respectively in emergency cases, upon application to him, or under the direction of any member of the local board.

* * * * *

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

(d) To cooperate with other agencies, including any agency of the United States or of another state, in all matters concerning the powers and duties of the department under this act, and particularly in projects for child welfare, for the relief of persons in areas of special need, and for the care of transient and homeless persons, and to make such reports, in such form and containing such information as the [Social Security Board] *Department of Health, Education and Welfare* of the United States Government, or any other agency of the United States may, from time to time, require, and to comply with such provisions as such [board] *department* or agency may, from time to time, find necessary to insure the correctness and verification of such reports.

* * * * *

Section 3. Section 5 of said act, as last amended in part by the act, approved the twenty-first day of May, one thousand nine hundred forty-three (Pamphlet Laws 434), is hereby further amended to read as follows :

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.

(b) Each board shall be composed of eleven members in counties of the first and second classes, and of seven members in other counties. In each county having a

Section 5, said act, as last amended in part by act of May 21, 1943, P. L. 434, further amended.

board of seven, the Governor shall, with the advice and consent of two-thirds of all the members of the Senate, appoint two members to serve for the term ending December thirty-first, one thousand nine hundred thirty-eight, two members to serve for the term ending December thirty-first, one thousand nine hundred thirty-nine, and three members to serve for the term ending December thirty-first, one thousand nine hundred forty. In each county having a board of eleven, the Governor shall, in the same manner, appoint three members to serve for the term ending December thirty-first, one thousand nine hundred thirty-eight, four members to serve for the term ending December thirty-first, one thousand nine hundred thirty-nine, and four members to serve for the term ending December thirty-first, one thousand nine hundred forty. After the original appointments, any vacancy caused by the expiration of a term shall be filled by an appointment, in the manner above provided, for a term of three years, and any vacancy, otherwise caused, shall be filled for the duration of the unexpired term by appointment, in the same manner. [No member of a board shall be eligible to serve for more than two consecutive terms.] *Any member of a board who has served all or any portions of three consecutive three-year terms, as above specified, shall be ineligible for further reappointment until after one full term has passed.*

(c) Each board shall *organize annually* and elect from among its members a chairman, *vice-chairman* and a secretary.

Clauses (b.1), (b) relettered (c), and (o) of section 7, said act, clause (b.1) of which was added by act of May 21, 1943, P. L. 434, clause (b) relettered (c), and clause (o) of which was added by act of June 26, 1939, P. L. 1091, amended or further amended.

Section 4. Clauses (b. 1), (b) relettered (c), and (o) of section 7 of said act, clause (b. 1) of which was added by the act, approved the twenty-first day of May, one thousand nine hundred forty-three (Pamphlet Laws 434), clause (b) or which was relettered (c), and clause (o) of which was added by the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-nine (Pamphlet Laws 1091), are hereby amended or further amended to read as follows:

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

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

• • • • •

(c) To conform to the rules, regulations and standards, established by the Department of Public Assistance [, as to accounting, and as to forms, records and reports].

* * * * *

(o) [To make available for inspection and examination during office hours, to any taxpayer, in such manner as the county board of assistance may prescribe, the names, addresses, and amount of assistance granted to all persons then receiving general assistance.]

Upon request by any adult resident of the Commonwealth, to furnish the address and amount of assistance with respect to persons receiving assistance about whom inquiry is made, but such information shall not be used for commercial or political purposes.

Section 5. Clause (j) of section 7 of said act, as added by the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-nine (Pamphlet Laws 1091), is hereby repealed.

Clause (j) of section 7, said act, as added by act of June 26, 1939, P. L. 1091, repealed.

Section 6. Section 9 of said act, as last amended in part by the acts, approved the twenty-sixth day of June, one thousand nine hundred thirty-nine (Pamphlet Laws 1091), the sixteenth day of May, one thousand nine hundred forty (1941, Pamphlet Laws 945), the twenty-fourth day of July, one thousand nine hundred forty-one (Pamphlet Laws 475), the twenty-eighth day of July, one thousand nine hundred forty-one (Pamphlet Laws 546), the twenty-first day of May, one thousand nine hundred forty-three (Pamphlet Laws 434), the twenty-eighth day of April, one thousand nine hundred forty-nine (Pamphlet Laws 767), and the eighteenth day of January, one thousand nine hundred fifty-two (Pamphlet Laws 2157), is hereby further amended to read as follows:

Section 9. Eligibility for Assistance.—*Any person residing within this Commonwealth shall hereafter be entitled to receive public assistance, as provided by law, without regard to the period of time he or she has resided therein, and the Department of Public Assistance shall grant assistance without regard to the period of time any person seeking public assistance and otherwise entitled thereto shall have resided within this State: Provided, however, That if the applicant for public assistance has resided in Pennsylvania for less than one year immediately preceding the date of making application for assistance, such person shall only be entitled to receive public assistance if he or she was last a resident of a state which by law, regulation or reciprocal agreement with Pennsylvania grants public assistance to a person who has resided therein for less than one year. A child less than one year of age is considered as deriving residence from either (1) a parent, or (2) other relative with whom he is living, as provided in this section. Except as hereinafter specifically otherwise provided in the case of pensions for the blind, all per-*

Section 9, said act, as last amended in part by acts of June 26, 1939, P. L. 1091, May 16, 1940, P. L. 945, July 24, 1941, P. L. 475, July 28, 1941, P. L. 546, May 21, 1943, P. L. 434, April 28, 1949, P. L. 767 and January 18, 1952, P. L. 2157, further amended.

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

(a) **Dependent Children.** A dependent child is defined as any needy child under the age of sixteen or under the age of eighteen if found to be regularly attending school who [(1)] has been deprived of parental support or care by reason of the death, continued absence from the home, or physical or mental incapacity of a parent, and who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, step-sister, uncle, or aunt, in a place of residence maintained by one or more of such relatives as his or their own home [, and (2) has resided in this Commonwealth for one year immediately preceding the date of application for assistance, or has been born in this Commonwealth within one year immediately preceding the date of such application of a mother who has resided in this Commonwealth for one year immediately preceding the birth of the child]. *Any one such relative who is in need of assistance to provide a decent and healthful standard of living for himself and the dependent child or children maintained in his home, and who is not receiving any other assistance under the provisions of this act, shall be eligible for assistance under this subsection, provided such relative meets the requirements of the first paragraph of this section.*

So long as required as a condition of Federal participation, assistance shall not be denied a child less than one year of age if the parent or other relative with whom the child is living has resided in the Commonwealth for one year immediately preceding the child's birth.

(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)] (3) 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.]

(c) Blind Persons. A blind person is defined as one who (1) is twenty-one years of age, or more, (2) has three-sixtieth or ten two-hundredths, or less, normal vision, (3) [has resided in the Commonwealth for at least five years during the nine years immediately preceding his application for a pension, and has resided therein continuously for one year immediately preceding the application, (4)] is not receiving *any other* assistance [as an aged person] during the period for which he is receiving assistance as a blind person, [(5)] (4) is not [, at the date of making application,] an inmate of any prison, jail, insane asylum, or any other public reform or correctional institution. The pension of a blind person shall be fifty dollars (\$50) per month: Provided, That any blind person with an actual income of one thousand seven hundred sixteen dollars (\$1716) or upwards and any blind person having (1) real property with an assessed valuation of over five thousand dollars (\$5000), or (2) personal property with an actual value of over five thousand dollars (\$5000), or (3) a combination of real and personal property with a total valuation of over five thousand dollars (\$5000), the valuation of the real property to be determined by its assessed valuation, the valuation of the personal property to be determined by its actual value, is not entitled to such pension. The interest of a blind person in any property owned by the entireties shall be deemed to be a one-half interest: And provided further, That where a blind person has an income of less than one thousand seven hundred sixteen dollars (\$1716) per year, the pension shall be fixed in such amount so that the combined income and pension shall not exceed one thousand seven hundred sixteen dollars (\$1716) a year. No person shall be denied a pension because of the fact that he or she *is not a citizen of the

* "it" in original.

United States. In the event that any act of Congress providing Federal aid toward pension for the blind requires the recipients to be citizens, no such Federal aid moneys shall be expended in the payment of pensions to non-citizens, but such person shall receive pensions out of the moneys appropriated by this Commonwealth.

(c. 1) *Disabled Persons.* A disabled person is defined as one who (1) is between the ages of eighteen and sixty-four, inclusive, (2) is permanently and totally disabled, and (3) is not at the time of receiving assistance an inmate of a public institution.

(c. 2) *Any children who, at the time they are receiving assistance, are, at the direction of the court, removed from the home of their parents and placed in foster homes or children's homes maintained by a county institution district.*

(d) Other persons who are citizens of the United States and [who have a settlement in Pennsylvania, and] all aliens who have within two years previous to the first day of January, one thousand nine hundred and forty, filed their declaration of intention to become a citizen, and who [have a legal settlement in Pennsylvania, and need assistance to enable them to maintain for themselves and their dependents a decent and healthful standard of living, and who do not require institutional care because of physical or mental infirmity] are not inmates of a public institution at the time of receiving assistance.

[(e) Any person within any group, defined in this section, who has a quasi-settlement in this Commonwealth until he is removed to his place of legal settlement.]

[(f) Any children who, at the time they are receiving assistance, are at the direction of the court removed from the home of their parents and placed in foster homes or children's homes maintained by a county institution district.]

Section 11, said act, repealed.

Subsection (b) of section 12, said act, amended.

Section 7. Section 11 of said act is hereby repealed.

Section 8. Subsection (b) of section 12 of said act is hereby amended to read as follows:

Section 12. Federal Contributions; Restitution.—

* * * * *

(b) So long as required as a condition of Federal participation, [one-half] of the net amount collected or recovered by way of restitution from any [aged] person, or from his estate, by or for the Department of Public Assistance, for any assistance received to which the Federal government contributed, there shall be promptly paid to the United States an amount equal to its proportionate share of the amount collected or recovered, and the remainder thereof shall be paid into the State Treas-

ury, and shall be credited to the current appropriation to the Department of Public Assistance, as provided by law.

Section 9. Section 13 of said act, subsections (a) and (b) as amended by the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-nine (Pamphlet Laws 1091), and subsections (c) and (d) of which were added by the act, approved the sixteenth day of July, one thousand nine hundred forty-one (Pamphlet Laws 398), and another subsection (c) of which was added by the act, approved the twenty-fifth day of July, one thousand nine hundred forty-one (Pamphlet Laws 509), is hereby further amended to read as follows:

Section 13, said act, subsections (a) and (b) as amended by act of June 26, 1939, P. L. 1091, and subsections (c) and (d) of which were added by act of July 16, 1941, P. L. 398, and another subsection (c) of which was added by act of July 25, 1941, P. L. 509, further amended.

Section 13. Penalties.—(a) Any person who, either prior to, or at the time of, or subsequent to the application for assistance, by means of a wilfully false statement or misrepresentation, or by impersonation or other fraudulent means, secures, or attempts to secure, or aids or abets any person in securing assistance under this act shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding [five hundred dollars (\$500.00)] *one thousand dollars (\$1,000.00)*, or to undergo imprisonment not exceeding [six months] *one (1) year*, or both, at the discretion of the court, and also shall be sentenced to make restitution of any moneys he has received by reason of any such false statement, misrepresentation, impersonation, or fraudulent means.

(b) Any person in the employ of any county board who, either directly or indirectly, influences or endeavors to influence the vote of any person receiving or applying for any form of assistance or pension under the provisions of this act, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding one hundred (\$100) dollars, or to undergo imprisonment not exceeding six (6) months, or both, at the discretion of the court.

(c) The Department of Public Assistance shall have power and authority to make and enforce rules and regulations—

(1) To insure the names and lists of applicants and recipients or persons applying for or receiving assistance of any type [covered by the public assistance provision of the Federal Social Security Act] against improper publication; *except that, upon request by any adult resident of the Commonwealth, the department may furnish the address and amount of assistance with respect to persons about whom inquiry is made, but information so obtained shall not be used for commercial or political purposes;*

(2) To restrict the use of [such] information furnished other officials, departments or persons to purposes connected with the administration of public assistance, *except as otherwise provided in paragraph (1) of this subsection;*

(3) To afford adequate protection to the rights and interests of persons with respect to whom personal or confidential information is in its possession;

(4) All such rules and regulations shall be kept on file with the department and shall be open to the public;

(5) Such rules and regulations shall not prevent or interfere with investigations by the proper authorities as to the rights of individuals or groups to receive such assistance or aid, or the amount of the same.

(d) Any person knowingly violating any of the rules and regulations of the department made in accordance with this act shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine, not exceeding one hundred dollars (\$100), or to undergo imprisonment, not exceeding six (6) months, or both, at the discretion of the court.

(e) Any person who, either prior to or at the time of or subsequent to the application for assistance, by means of a wilfully false statement or misrepresentation, or by impersonation, or other fraudulent means, secures or attempts to secure assistance not exceeding three hundred dollars (\$300) under this act shall, upon conviction thereof in a summary proceeding, be sentenced to make restitution of such assistance, and to pay a fine of not more than two hundred dollars (\$200), and, in default of making restitution and the payment of the fine imposed, to undergo imprisonment not exceeding sixty (60) days.

[(e)] (f) It shall be unlawful for any person, directly or indirectly, to promise any employment, position, work, compensation or other benefit provided for in clause (1) of section four of this act to any person as consideration, favor or reward for any political activity or for the support of, or opposition to, any candidate in any election or any political party.

It shall be unlawful for any person, directly or indirectly, to deprive, attempt to deprive or threaten to deprive by any means any person of any employment, position, work, compensation or other benefit provided for in clause (1) of section four of this act on account of race, creed, color or any support of, or opposition to, any candidate or any political party in any election.

It shall be unlawful for any person administering or supervising work relief projects under the provisions of clause (1) of section four of this act to use such authority or influence for the purpose of interfering with an election or affecting the results thereof.

Any person violating the provisions of this subsection shall be immediately removed from any position or office, if any, held under the provisions of clause (1) of section four of this act, and in addition thereto, he shall be sentenced to pay a fine, not to exceed one thousand dollars (\$1000), and to imprisonment, not to exceed one (1) year, or both.

Section 10. The act, approved the first day of May, one thousand nine hundred forty-five (Pamphlet Laws 370), entitled "An act relating to settlements; abolishing settlement and residence as a factor in eligibility for receiving public assistance, or liability of the Commonwealth, or any political subdivision thereof for granting assistance; and repealing inconsistent legislation," is hereby repealed.

Act of May 1,
1945, P. L. 370,
repealed.

Section 11. All other acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Inconsistent acts
repealed.

Section 12. This act shall become effective immediately upon final enactment.

Act effective
immediately.

APPROVED—The 22nd day of August, A. D. 1953.

JOHN S. FINE

No. 388

AN ACT

To amend section 6 of the act, approved the twentieth day of May, one thousand nine hundred forty-nine (Pamphlet Laws 1633), entitled "An act providing and regulating State assistance for housing, including slum clearance and redevelopment; and making an appropriation," by changing limitation as to tenant admissions in urban redevelopment projects.

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

"Housing and
Redevelopment
Assistance Law."

Section 1. Section 6 of the act, approved the twentieth day of May, one thousand nine hundred forty-nine (Pamphlet Laws 1633), entitled "An act providing and regulating State assistance for housing, including slum clearance and redevelopment; and making an appropriation," is hereby amended to read as follows:

Section 6, act of
May 20, 1949,
P. L. 1633,
amended.

Section 6. Tenant Limitations.—No capital grant pursuant to section 4 (a) of this act shall be made for any housing project unless the agency, authority or corporation receiving such capital grant shall contract to maintain rent levels within the means of persons of limited income as established by the State Planning Board and embodied in the contract, as hereinafter provided, which shall be substantially below those now available through equivalent non-subsidized construction and to limit the