No. 254

AN ACT

Amending the act of June twenty-three, one thousand nine hundred thirty-one (Pamphlet Laws 932), entitled "An act relating to cities of the third class: and amending, revising, and con-solidating the law relating thereto," further providing for appropriations by such cities to official police pension funds.

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

The Third Class City Code.

Section 1. Section four thousand three hundred five, act of June twenty-three, one thousand nine hundred thirty-one (Pamphlet Laws 932), known as "The Third Class City Code," as reenacted and amended June twenty-eight, one thousand nine hundred fifty-one (Pamphlet Laws 662), is amended to read:

Section 4305, act of June 23, 1931, P. L. 932. reenacted and amended June 28, 1951, P. 662, further

Section 4305. Payments to Pension Funds by City.— There shall be paid annually to the organization or association, constituting and having in charge the distribution of police pension funds in every city, a sum of money [not] sufficient to meet the requirements of and to maintain such police pension fund which sum in no year shall be less than one-half of one per centum, nor more than [one] two per centum of all city taxes levied by the city, other than taxes levied to pay interest on or extinguish the debt of the city or any part thereof.

Section 2. This act shall take effect January 1, 1956. Act effective January 1, 1956.

Approved—The 13th day of December, A. D. 1955.

GEORGE M. LEADER

No. 255

AN ACT

Amending the act of April nine, one thousand nine hundred twenty-nine (Pamphlet Laws 177), entitled "An act providing for and reorganizing the conduct of the executive and adminis-trative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain *departments, boards and commissions shall be determined," revising and expanding the State Mental Health program; providing for the appointment of a deputy to be known as Commissioner of Mental Health and creating an advisory council on Mental Health in the Department of Welfare; prescribing their powers and duties and changing the powers and duties of the boards of trustees of the several State mental institutions and juvenile delinquent institutions and the terms of members of boards of trustees of certain State institutions.

The Administrative Code of 1929.

Section 202, act of April 9, 1929, P. L. 177, amended July 20, 1953, P. L. 526, August 21, 1953, P. L. 1257, and July 29, 1953, P. L. 1424, further amended.

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

Section 1. As much as applies to the Department of Welfare of section two hundred two, act of April nine, one thousand nine hundred twenty-nine (Pamphlet Laws 177), known as "The Administrative Code of 1929," amended July twenty, one thousand nine hundred fifty-three (Pamphlet Laws 526), August twenty-one, one thousand nine hundred fifty-three (Pamphlet Laws 1257), and July twenty-nine, one thousand nine hundred fifty-three (Pamphlet Laws 1424), is amended to read:

Section 202. Departmental Administrative Boards, Commissions, and Offices.—The following boards, commissions, and offices are hereby placed and made departmental administrative boards, commissions, or offices, as the case may be, in the respective administrative departments mentioned in the preceding section, as follows:

* * * * *

In the Department of Welfare,

State Council for the Blind,

Board of Trustees of the Pennsylvania Training School for Girls,

Board of Trustees of Pennsylvania Training School at Morganza,

Board of Trustees of Pennsylvania Training School at Kis-Lyn, Luzerne County, Pennsylvania,

Board of Trustees of Allentown State Hospital,

Board of Trustees of **Clarks Summit State Hospital,

Board of Trustees of Danville State Hospital,

Board of Trustees of Embreeville State Hospital,

Board of Trustees of Farview State Hospital.

Board of Trustees of Harrisburg State Hospital,

Board of Trustees of Hollidaysburg State Hospital,

^{* &}quot;department" in original.

^{** &}quot;Clark" in original.

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Board of Trustees of Mayview State Hospital,
Board of Trustees of Norristown State Hospital.
Board of Trustees of Philadelphia State Hospital.
Board of Trustees of Retreat State Hospital,
Board of Trustees of Somerset State Huspital.
Board of Trustees of Warren State Hospital,
Board of Trustees of Wernersville State Hospital.
Board of Trustees of Woodville State Hospital.
Board of Trustees of Torrance State Hospital,
Board of Trustees of Ashland State Hospital,
Board of Trustees of Blossburg State Hospital,
Board of Trustees of Coaldale State Hospital.
Board of Trustees of Connellsville State Hospital,
Board of Trustees of Dixmont State Hospital.
Board of Trustees of Hazleton State Hospital,
Board of Trustees of Locust Mountain State Hos-
  pital,
Board of Trustees of Nanticoke State Hospital,
Board of Trustees of Philipsburg State Hospital,
Board of Trustees of Scranton State Hospital.
Board of Trustees of Shamokin State Hospital.
Board of Trustees of Laurelton State Village.
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[In addition to the foregoing, there are hereby created, as departmental administrative boards in the Department of Welfare, boards of trustees for the respective institutions which are acquired by the Commonwealth from counties, cities or institution districts for actual use as State mental hospitals under the provisions of act number twenty-one, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight. Each respective board of trustees shall be known as the Board of Trustees of the

Board of Trustees of Pennhurst State School, Board of Trustees of Polk State School.

Board of Trustees of Selinsgrove State School.

(descriptive name of political subdivision in which institution is located)

State Hospital;]

* * * * *

Section 2. Section two hundred three of the act, amended July twenty-eight, one thousand nine hundred fifty-three (Pamphlet Laws 656) is amended to read:

Section 203. Advisory Boards and Commissions.— The following advisory boards and commissions are placed in and made parts of the respective administrative departments, as follows:

In the Department of Military Affairs, State Military Reservation Commission, State Veterans' Commission;

In the Department of Forests and Waters, State Forest Commission, Flood Control Commission:

In the Department of Health, Advisory Health Board;

In the Department of Labor and Industry, Industrial Board, Advisory Council on Affairs of the Handicapped;

In the Department of Welfare, State Welfare Commission, Advisory Council on Mental Health;

In the Department of Property and Supplies, General Galusha-Pennypacker Monument Commission.

Section 3. Section four hundred one of the act, amended July twenty, one thousand nine hundred fifty-three (Pamphlet Laws 526), and August twenty-one, one thousand nine hundred fifty-three (Pamphlet Laws 1257), is amended to read:

Section 401. Boards of Trustees of State Institutions.—The boards of trustees of each of the State institutions hereinafter mentioned shall consist of nine members, and the head of the department having supervision over the institution ex officio.

The terms of each member of each such board shall be [four] six years, and until his successor is appointed and qualified.

The terms of the first three members of all boards, the members of which now serve for terms of four years, appointed by the Governor on or after the third Tuesday of January, 1959, shall expire on the third Tuesday of January, 1961. The terms of the next three members appointed shall expire on the third Tuesday of January, 1963. The terms of the next three members appointed shall expire on the third Tuesday of January, 1965. Their successors and all members of all boards, appointed to succeed members who have served six year terms, shall be appointed for terms of six years from the date of the expiration of the preceding term. Vacancies happening before the expiration of a term shall be filled for the unexpired term.

Five members of any such board shall constitute a quorum.

Section 401, act of April 9, 1929, P. L. 177, amended July 20, 1953, P. L. 526, and August 21, 1953, P. L. 1257, further amended.

Each such board shall annually elect a president and vice-president from among its members, and a secretary and treasurer who need not be members of the board. The secretary and treasurer may be the same person.

This section shall apply to:

Board of Trustees of Thaddeus Stevens Trade School,

Board of Trustees of Pennsylvania State Oral School for the Deaf,

Board of Trustees of Scotland School for Veterans' Children,

Board of Trustees of West Chester State Teachers' College,

Board of Trustees of Millersville State Teachers' College,

Board of Trustees of Kutztown State Teachers' College,

Board of Trustees of East Stroudsburg State Teachers' College,

Board of Trustees of Mansfield State Teachers' College,

Board of Trustees of Bloomsburg State Teachers' College,

Board of Trustees of Shippensburg State Teachers' College,

Board of Trustees of Lock Haven State Teachers' College,

Board of Trustees of Indiana State Teachers' College, Board of Trustees of California State Teachers' College,

Board of Trustees of Slippery Rock State Teachers' College,

Board of Trustees of Edinboro State Teachers' Ccllege,

Board of Trustees of Clarion State Teachers' College, Board of Trustees of Cheyney State Teachers' College,

Board of Trustees of Pennsylvania Soldiers' and Sailors' Home,

[Board of Trustees of Eastern State Penitentiary which upon the establishment of the Medium Security Prison at Graterford shall thereafter be known as the Board of Trustees at Graterford,

Board of Trustees of Western State Penitentiary,

Board of Trustees of Pennsylvania Institution for Defective Delinquents. And upon the establishment of the Medium Security Prison at Huntingdon shall thereafter be known as the Board of Trustees at Huntingdon,

Board of Trustees of the Pennsylvania Industrial School at Camp Hill, Cumberland County, Pennsylvania, Board of Trustees at Rockview,]

Board of Trustees of the Pennsylvania Training School for Girls,

Board of Trustees of State Industrial Home for Women,

Board of Trustees of Pennsylvania Training School at Morganza,

Board of Trustees of Pennsylvania Training School at Kis-Lyn, Luzerne County, Pennsylvania,

Board of Trustees of Allentown State Hospital,

Board of Trustees of *Clarks Summit State Hospital,

Board of Trustees of Danville State Hospital,

Board of Trustees of Embreeville State Hospital,

Board of Trustees of Farview State Hospital,

Board of Trustees of Harrisburg State Hospital,

Board of Trustees of Hollidaysburg State Hospital,

Board of Trustees of Mayview State Hospital,

Board of Trustees of Norristown State Hospital,

Board of Trustees of Philadelphia State Hospital,

Board of Trustees of Retreat State Hospital,

Board of Trustees of Somerset State Hospital,

Board of Trustees of Warren State Hospital,

Board of Trustees of Wernersville State Hospital,

Board of Trustees of Woodville State Hospital,

Board of Trustees of Torrance State Hospital,

Board of Trustees of Ashland State Hospital,

Board of Trustees of Blossburg State Hospital,

Board of Trustees of Coaldale State Hospital,

Board of Trustees of Connellsville State Hospital,

Board of Trustees of Dixmont State Hospital,

Board of Trustees of Hazleton State Hospital,

Board of Trustees of Locust Mountain State Hospital,

Board of Trustees of Nanticoke State Hospital,

Board of Trustees of Philipsburg State Hospital,

Board of Trustees of Scranton State Hospital,

Board of Trustees of Shamokin State Hospital,

Board of Trustees of Laurelton State Village,

Board of Trustees of Pennhurst State School,

Board of Trustees of Polk State School,

Board of Trustees of Selinsgrove State School.

[Boards of Trustees of such institutions as are required by the Commonwealth from any county, city or

^{* &}quot;Clark" in original.

institution district and are used as State mental hospitals under the provisions of act number twenty-one, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight.

Provided. That from* and after the third Tuesday of January, one thousand nine hundred and forty-three, the terms of the first three members to be appointed by the Governor to each of the following boards of trustees shall expire on the third Tuesday of January, one thousand nine hundred and forty-five, and the terms of the next three members to be appointed shall expire on the third Tuesday of January, one thousand nine hundred and forty-seven, and the terms of the next three members shall expire on the third Tuesday of January, one thousand nine hundred and forty-nine; the successors to each of the above mentioned members shall be appointed for terms of six years, and all appointments thereafter shall be for terms of six years, except those to fill vacancies created prior to the end of any term. which shall be only for the duration of the unexpired term:

Board of Trustees of Thaddeus Stevens Trade School, Board of Trustees of Pennsylvania State Oral School for the Deaf,

Board of Trustees of Scotland School for Veterans' Children.

Board of Trustees of West Chester State Teachers' College,

Board of Trustees of Millersville State Teachers' College,

Board of Trustees of Kutztown State Teachers' College,

Board of Trustees of East Stroudsburg State Teachers' College,

Board of Trustees of Mansfield State Teachers' College,

Board of Trustees of Bloomsburg State Teachers' College,

Board of Trustees of Shippensburg State Teachers College,

Board of Trustees of Lock Haven State Teachers' College,

Board of Trustees of Indiana State Teachers' College, Board of Trustees of California State Teachers' College,

Board of Trustees of Slippery Rock State Teachers' College,

^{* &}quot;From" repeated in original.

Board of Trustees of Edinboro State Teachers' College].

Board of Trustees of Clarion State Teachers' College,

Board of Trustees of Cheyney State Teachers' College,

Section 448, act of April 9, 1929, P. L. 177 amended by adding a new clause.

Section 4. Section four hundred forty-eight of the act is amended by adding, at the end thereof, a new clause to read:

Section 448. Advisory Boards and Commissions.— The advisory boards and commissions within the several administrative departments shall be constituted as follows:

* * * * *

(i) The Advisory Council on Mental Health shall be appointed by the Governor on the advice of the Secretary of Welfare and shall be composed of both laymen and professionals in the field of mental health. They shall serve for staggered terms, not exceeding five years, without compensation other than reimbursement of travel and other actual expenses incurred in the performance of their duties. The Advisory Council shall have twenty members of whom five shall be trustees of State mental institutions, five members of the Pennsylvania Medical Society and ten to be laymen. The Advisory Council shall select its own chairman and shall meet at least twice a year at times and places of its own choice.

Section 2313, act of April 9, 1929, P. L. 177, amended.

Section 5. Section two thousand three hundred thirteen of the act is amended to read:

Section 2313. Mental Health.—The Department of Welfare shall have the power and its duty shall be:

- (a) To administer and enforce the laws of this Commonwealth relative to the prevention of mental diseases, mental defect, epilepsy, and inebriety, the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epilepsy, and the transfer, discharge, escape, interstate rendition, and deportation of mental patients.
- (b) 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 6. The act is amended by adding, after section 2313, three new sections to read:

Section 2313.1. Commissioner of Mental Health.— The Secretary of Welfare shall appoint, with the approval of the Governor, a Deputy Secretary who shall

Act of April 9, 1929, P. L. 177, amended by adding three new sections, 2313.1, 2313.2, and 2313.3.

have the title of Commissioner of Mental Health and who shall be a psychiatrist with at least seven years' training and experience in the care of patients. The Commissioner of Mental Health shall serve for a five year term and shall be eligible for reappointment. The Commissioner of Mental Health, with the approval of the Secretary of Welfare, shall develop plans and programs and make recommendations with respect to the general policy of the Commonwealth's mental health program. He shall initiate, develop and, with the approval of the Secretary of Welfare, carry into effect plans and programs designed to prevent, treat and cure the mentally He shall recommend to the Secretary of Welfare ill.such professional and skilled personnel as may be necessary to carry out the plans and programs of the department in the field of mental health. He shall recommend to the Secretary of Welfare the appointment of the superintendents of state mental institutions who in turn shall assign, appoint and dismiss personnel of the institutions.

Section 2313.2. Advisory Council on Mental Health.

—The Advisory Council on Mental Health shall have the power and its duty shall be:

- (a) To advise the Governor and the Secretary of Welfare with regard to the appointment of the Commissioner of Mental Health.
- (b) To advise, assist and make recommendations with respect to the general policies and operations of the Commonwealth's mental health program.
- (c) To aid in increasing public understanding of and formulating plans for furthering the purposes and intention of this amending act.

Section 2313.3. Boards of Trustees of State Mental Institutions.—(1) The powers and duties of the boards of trustees of each State institution within the Department of Welfare caring for the mentally ill, feebleminded, mentally retarded, mentally deficient and juvenile delinquents, shall be only as defined in this section.

- (a) To advise, assist and make recommendations to the superintendent with respect to the management and operation of the institution and with respect to any plans or programs for its improvement.
- (b) To keep under review all matters pertaining to the welfare and well-being of patients and to make recommendations to the superintendent with respect thereto.
- (c) To advise and make recommendations to the Commissioner of Mental Health with regard to the selection and appointment of a superintendent in case of a vacancy.

- (d) To advise and make recommendations to the superintendent with regard to his selection of employes of the institution.
- (e) To develop and further means and methods of establishing proper relations and understanding between the institution (and its program) and the community in which it is located, and generally to provide liaison between the institution and the community in order better to serve the interests and needs of both.
- (f) To make recommendations to the Advisory Council on Mental Health on matters of policy and program emerging from its intimate knowledge and experience of mental health programs in operation.
- (2) The provisions of this section shall be applicable to the boards of trustees in all of the State mental institutions within the Department of Welfare caring for mentally ill, feeble-minded, mentally retarded, mentally deficient and juvenile delinquents, but shall not apply to the Board of Trustees of the Eastern Pennsylvania Psychiatric Institute.

Section 2318, act

Section 7. Section two thousand three hundred of July 20. 526, eighteen of the act, amended July twenty, one thousand amended.

nine hundred fifty-three (Pamphlet Laws 526) is nine hundred fifty-three (Pamphlet Laws 526), is amended to read:

> Section 2318. Boards of Trustees of State Institutions.—The Board of Trustees of each of the following named State [institution] institutions within the Department of Welfare shall have general direction and control of the property and management of such institution. It shall have the power, and its duty shall be:

- (a) Subject to the approval of the Governor, to elect a superintendent or warden of the institution, who shall, subject to the authority of the board, administer the institution in all its departments;
- (b) On nomination by the superintendent or warden, from time to time, to appoint such officers and employes as may be necessary;
- (c) To fix the salaries of its employes in conformity with the standards established by the Executive Board;
- (d) Subject to the approval of the Secretary of Welfare, to make such by-laws, rules, and regulations for the management of the institution as it may deem wise.

The boards of trustees of the several State institutions shall exercise the foregoing powers in the management of the following institutions:

Board of Trustees of Eastern State Penitentiary, of Eastern State Penitentiary at Philadelphia,

Board of Trustees at Graterford, of the Maximum Security Prison at Graterford and the Medium Security Prison at Graterford,

Board of Trustees of Western State Penitentiary, of Western State Penitentiary at Pittsburgh, and of the State Penitentiary at Rockview, only until the Pennsylvania Industrial School is established at Rockview, or until the Pennsylvania Institution for Delinquent Defectives is established at Rockview.

Board of Trustees at Rockview, of the Minimum Security Prison at Rockview,

The Pennsylvania Industrial School at Rockview.

The Pennsylvania Institution for Delinquent Defectives at Rockview,

Board of Trustees of Pennsylvania Institution for Defective Delinquents, and upon the establishment of the Medium Security Prison at Huntingdon, to be known as the Board of Trustees at Huntingdon for the Medium Security Prison at Huntingdon,

Board of Trustees of the Pennsylvania Industrial School at Camp Hill, Cumberland County, Pennsylvania.

Board of Trustees of the Pennsylvania Training School for Girls, of the Pennsylvania Training School for Girls,

Board of Trustees of State Industrial Home for Women, of State Industrial Home for Women at Muncy,

Board of Trustees of Pennsylvania Training School at Morganza, of Pennsylvania Training School at Morganza,

Board of Trustees of Pennsylvania Training School at Kis-Lyn, of the Pennsylvania Training School at Kis-Lyn in Luzerne County, Pennsylvania.

Board of Trustees of Allentown State Hospital, of Homeopathic State Hospital for the Insane at Allentown,

Board of Trustees of Danville State Hospital, of State Hospital for the Insane at Danville, Pennsylvania,

Board of Trustees of Farview State Hospital, of State Hospital for the Criminal Insane at Farview.

Board of Trustees of Harrisburg State Hospital, of Harrisburg State Hospital at Harrisburg,

Board of Trustees of Norristown State Hospital of State Hospital for the Insane of the Southeastern District of Pennsylvania at Norristown,

Board of Trustees of Warren State Hospital, of State Hospital for the Insane at Warren, Pennsylvania,

Board of Trustees of Wernersville State Hospital, of State Asylum for the Chronic Insane of Pennsylvania at South Mountain,

Board of Trustees of Torrance State Hospital, of Western State Hospital for the Insane, Torrance,]

Board of Trustees of Ashland State Hospital, of State Hospital for Injured Persons of the Anthracite Coal Regions of Pennsylvania at Ashland,

Board of Trustees of Blossburg State Hospital, at Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Blossburg,

Board of Trustees of Coaldale State Hospital, of State Hospital of Coaldale, Schuylkill County,

Board of Trustees of Connellsville State Hospital, of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Connellsville.

[Board of Trustees of Dixmont State Hospital, of Dixmont State Hospital at Dixmont,]

Board of Trustees of Hazleton State Hospital, of State Hospital of the Middle Coal Field of Pennsylvania at Hazleton,

Board of Trustees of Nanticoke State Hospital, of State Hospital of Luzerne County at Nanticoke,

Board of Trustees of Philipsburg State Hospital, of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania, at Philipsburg,

Board of Trustees of Scranton State Hospital, of State Hospital of the Northern Anthracite Coal Region of Pennsylvania at Scranton,

Board of Trustees of Shamokin State Hospital, of State Hospital of the Trevorton, Shamokin and Mount Carmel Coal Fields of Pennsylvania at Shamokin,

Board of Trustees of Locust Mountain State Hospital, of Locust Mountain State Hospital at Shenandoah,

[Board of Trustees of Laurelton State Village, of Pennsylvania Village for Feeble-Minded Women at Laurelton,

Board of Trustees of Pennhurst State School, of State Institution for the Feeble-Minded and Epileptic of Eastern Pennsylvania at Pennhurst,

Board of Trustees of Polk State School, of State Institution for the Feeble-Minded of Western Pennsylvania at Polk,

Board of Trustees of Selinsgrove State Colony for Epileptics, of the State Colony for Epileptics at Selinsgrove.

The foregoing powers shall also be exercised by the respective boards of trustees of institutions acquired by

the Commonwealth from any county, city or institution district for use as* State mental hospitals under the provisions of act number twenty-one, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight.]

Section 8. This act shall take effect immediately.

Act effective immediately.

Approved—The 14th day of December, A. D. 1955.

GEORGE M. LEADER

No. 256

AN ACT

Requiring rents and royalties from oil and gas leases of Commonwealth land to be placed in a special fund to be used for conservation, recreation, dams, and flood control; authorizing the Secretary of Forests and Waters to determine the need for and location of such projects and to acquire the necessary land.

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

Section 1. All rents and royalties from oil and gas leases of any land owned by the Commonwealth, except rents and royalties received from game and fish lands, shall be placed in a special fund to be known as the "Oil and Gas Lease Fund" which fund shall be exclusively used for conservation, recreation, dams, or flood control or to match any Federal grants which may be made for any of the aforementioned purposes.

Section 2. It shall be within the discretion of the Secretary of Forests and Waters to determine the need for and the location of any project authorized by this act. The Secretary of Forests and Waters shall have the power to acquire in the name of the Commonwealth by purchase, condemnation or otherwise such lands as may be needed.

Section 3. All the moneys from time to time paid into the "Oil and Gas Lease Fund" are specifically appropriated to the Department of Forests and Waters to carry out the purposes of this act.

APPROVED-The 15th day of December, A. D. 1955.

GEORGE M. LEADER

Certain income to be placed in "Oil and Gas Lease Fund" and expenditures therefrom limited to certain uses.

Discretionary powers of Secretary of Forests and Waters and power to acquire land in name of Commonwealth.

Expenditures from this fund appropriated to Department of Forests and Waters.

^{* &}quot;a" in original.