

*and storm water drainage systems* lying within the boundaries of the county, either in whole or in part, for the prevention and control of floods. They may make contracts and expenditures for the cleansing, *maintaining*, regulation, improvement and control of such waters *and drainage systems* and for the prevention and control of floods by storage or retaining reservoirs, or otherwise, in parts of such waters beyond the limits of the county or of the Commonwealth, when, in their judgment, such expenditures may be necessary and for the benefit of the county.

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APPROVED—The 28th day of March, A. D. 1956.

GEORGE M. LEADER

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No. 428

AN ACT

Amending the act of October twenty-seven, one thousand nine hundred fifty-five (Pamphlet Laws 744, Act No. 222), entitled "An act prohibiting certain practices of discrimination because of race, color, religious creed, ancestry, age or national origin by employers, employment agencies, labor organizations and others as herein defined; creating the Pennsylvania Fair Employment Practice Commission in the Department of Labor and Industry; defining its functions, powers and duties; providing for procedure and enforcement; providing for formulation of an educational program to prevent prejudice; providing for judicial review and enforcement; and imposing penalties," providing that termination of employment or the operation of provisions having the effect of a minimum service requirement under a bona fide retirement insurance or pension plan shall not constitute an unfair employment practice, changing certain restrictions relative to age, and requiring that attorneys appointed by the commission be approved by the Attorney General.

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

Pennsylvania Fair Employment Practice Act.  
Subsections (a) and (b), section 5, and subsection (c), section 7, act of October 27, 1955, P. L. 744, Act No. 222, amended.

Unlawful employment practices detailed.

Section 1. Subsections (a) and (b) of section five and subsection (c) of section seven, act of October twenty-seven, one thousand nine hundred fifty-five (Pamphlet Laws 744, Act No. 222), known as the "Pennsylvania Fair Employment Practice Act," are amended to read:

Section 5. Unlawful Employment Practices.—It shall be an unlawful employment practice, unless based upon a bona fide occupational qualification, or except where based upon applicable security regulations established by the United States or the Commonwealth of Pennsylvania:

(a) For any employer because of the race, color, religious creed, ancestry, age or national origin of any individual to refuse to hire or employ, or to bar or to discharge from employment such individual, or to otherwise discriminate against such individual with respect to compensation, hire, tenure, terms, conditions or privileges of employment, if the individual is the best able and most competent to perform the services required. *The provision of this paragraph shall not apply, to (1) termination of employment because of the terms or conditions of any bona fide retirement or pension plan, (2) operation of the terms or conditions of any bona fide retirement or pension plan which have the effect of a minimum service requirement, (3) operation of the terms or conditions of any bona fide group or employe insurance plan.*

(b) For any employer, employment agency or labor organization, prior to the employment or admission to membership, to

(1) Elicit any information or make or keep a record of or use any form of application or application blank containing questions or entries concerning the race, color, religious creed, ancestry [age] or national origin of any applicant for employment or membership.

(2) Print or publish or cause to be printed or published any notice or advertisement relating to employment or membership indicating any preference, limitation, specification or discrimination based upon race, color, religious creed, ancestry, age or national origin.

(3) Deny or limit, through a quota system, employment or membership because of race, color, religious creed, ancestry, age, national origin or place of birth.

(4) Substantially confine or limit recruitment or hiring of individuals, with intent to circumvent the spirit and purpose of this act, to any employment agency, employment service, labor organization, training school or training center or any other employe-referring source which services individuals who are predominantly of the same race, color, religious creed, ancestry, age or national origin.

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Section 7. Powers and Duties of the Commission.—  
The commission shall have the following powers and duties:

Powers and duties of Commission enumerated.

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(c) To appoint such attorneys, *with the approval of the Attorney General*, and other employes and agents

as it may deem necessary, fix their compensation within the limitations provided by law, and prescribe their duties.

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Act effective immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 28th day of March, A. D. 1956.

GEORGE M. LEADER

No. 429

AN ACT

To further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (Pamphlet Laws 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further regulating education and training for handicapped children.

Public School Code of 1949.

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

Section 901, act of March 10, 1949, P. L. 30, last amended July 27, 1953, P. L. 619, further amended.

Section 1. Section nine hundred one of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Pamphlet Laws 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," as last amended by the act, approved the twenty-seventh day of July, one thousand nine hundred fifty-three (Pamphlet Laws 619), is hereby further amended to read as follows:

Section 901. Annual Conventions and Special Meetings.—The school directors, in every county having a county superintendent of public schools, shall annually be called together at the county-seat or some other suitable place within the county, by the county superintendent of public schools. The purpose of such annual conventions shall be the consideration and the discussion, by the school directors and others, of questions and subjects pertaining to the welfare and promotion of the public schools in their respective counties, and such other business as may properly come before such conventions. In addition hereto, the county superintendent of public schools may call together the school directors within the county at the county-seat, or some other suitable place within the county designated by the county superintendent of public schools when any emergency may exist, or when, in the opinion of the county superintendent of public schools, a special meet-