

or superannuation retirement allowance or withdrawn his accumulated deductions, shall be considered as having elected to receive the actuarial equivalent of his full *withdrawal allowance* or superannuation allowance under Option 1, *as the case may be*, as provided in section 404 of this article, as of the date of his death. In such event, payment under Option 1 shall be made to the beneficiary designated in the nomination of beneficiary form by the member and filed with the retirement board. If said beneficiary has pre-deceased the contributor, payment under Option 1 shall be made to the legal representative of such contributor.

\* \* \* \* \*

Act effective immediately.

Section 3. This act shall become effective immediately.

APPROVED—The 30th day of December, A. D. 1959.

DAVID L. LAWRENCE

No. 762

### AN ACT

Amending the act of March 10, 1949 (P. L. 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," providing homebound instruction for children confined in detention homes.

Public School Code of 1949.

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

Subsection (3), section 1372, act of March 10, 1949, P. L. 30, amended March 29, 1956, P. L. 1356, further amended.

Section 1. Subsection (3) of section 1372, act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949," amended March 29, 1956 (P. L. 1356), is amended to read:

Section 1372.

\* \* \* \* \*

(3) Special Classes or Schools Established and Maintained by School Districts. The county or district superintendent of schools shall submit, to the board or boards of school directors, plans for establishing and maintaining by the district or districts under his supervision, special classes in the public schools or special public schools in the manner provided in the approved plan. Except as herein otherwise provided, it shall be the duty of the board of school directors of any district to provide and maintain, or to jointly provide and maintain with neighboring districts, special classes or schools in accordance with the approved plan. The State Superintendent of

Public Instruction shall superintend the organization of such special classes and such other arrangements for special education and shall enforce the provisions of this act relating thereto. If the approved plan indicates that it is not feasible to form a special class in any district or to provide such education for any such child in the public schools of the district, the board of school directors of the district shall secure such proper education and training outside the public schools of the district or in special institutions, or by providing for teaching the child in his home, in accordance with rules and regulations prescribed by the Department of Public Instruction, on terms and conditions not inconsistent with the terms of this act or of any other act then in force applicable to such children.

*In addition to the above and in accordance with rules and regulations prescribed by the Department of Public Instruction, homebound instruction shall be provided for children confined in detention homes as provided in section 7, act of June 2, 1933 (P. L. 1433), as amended, for the period of their confinement, if their confinement exceeds or is expected to exceed ten days, even though such children are not mentally or physically handicapped.*

\* \* \* \* \*

APPROVED—The 30th day of December, A. D. 1959.

DAVID L. LAWRENCE

No. 763

AN ACT

Amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors," changing penalties for throwing or dumping material from vehicles or tractors.

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

Section 1. Section 1025, act of April 29, 1959 (P. L. 58), known as "The Vehicle Code," amended July 13, 1959 (P. L. 528), is amended to read:

The Vehicle Code.

Section 1025, act of April 29, 1959, P. L. 58, amended July 13, 1959, P. L. 528, further amended.

Section 1025. Throwing or dumping Material from Vehicle or Tractor.—No person shall throw, *dump*, or permit to be thrown or *dumped*, from a vehicle or tractor, on, upon or adjacent to a highway, any garbage, bottles, cans, rubbish, wire, glass or cardboard or wood cartons or boxes.