

from the center of Marsh Run Road (as the same is now constructed and used) and running thence south 35 degrees 13 minutes west bounding on the division line between said land of United States of America and said Commonwealth of Pennsylvania 516 feet to the division line between said Commonwealth land and land now or formerly belonging to Evan M. Semoff, thence with and bounding on the division lines between said Commonwealth and said Semoff the two following courses and distances, viz: north 69 degrees 43 minutes 30 seconds west 1067.38 feet and north 35 degrees 23 minutes 30 seconds east 472.76 feet to the land of United States of America aforesaid and thence south 71 degrees 57 minutes 08 seconds east bounding thereon 1078.88 feet to the place of beginning, containing 11.72 acres, more ¹ or less, of land.

Being a part of a tract of land conveyed to the Commonwealth of Pennsylvania by deed of W. G. Stonesifer and Mary A. Stonesifer, his wife, dated June 19, 1937 and recorded in York County Deed Book Y, Volume 26, page 367.

The conveyance shall be made under and subject, nevertheless, to all easements, servitudes and rights of others, including but not confined to streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipe line companies as well as under and subject, nevertheless, to any estate or tenancies vested in third persons, whether or not appearing of record, for any portion of the said land or improvements erected thereon.

Section 2. The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania.

Section 3. All moneys received from the sale of the land herein authorized to be conveyed shall be deposited in the General Fund.

Section 4. This act shall take effect immediately.

APPROVED—the 5th day of October, A. D. 1967.

RAYMOND P. SHAFER

No. 142

AN ACT

SB 1024

Amending the act of May 17, 1956 (P. L. 1609), entitled "An act to promote the welfare of the people of the Commonwealth by the reduction of unemployment in certain areas of the Commonwealth determined to be critical economic areas; providing for the establishment of industrial development projects in such areas; creating The Pennsylvania Industrial Development Authority as a body corporate and politic with power to allocate funds for and make secured loans to industrial development agencies for the payment of a part of the cost of industrial development projects in critical economic areas; authorizing the Authority to enter into agree-

¹ "or" not in original.

ments with the Government of the United States or any Federal agency or industrial development agency; empowering the Authority to take title to, sell, convey and lease industrial development projects where necessary to protect loans made by the Pennsylvania Industrial Development Authority on industrial development projects; providing that no debt of the Commonwealth, its municipalities or political subdivisions shall be incurred in the exercise of any powers granted by this act; and providing for the examination of the accounts and affairs of the Authority; and making an appropriation," further providing for findings and declaration of policy, redefining the term "critical economic area," defining the term "mortgage" and changing the power of the authority with respect to certain critical economic areas.

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

Section 1. Clauses (c) and (d) of section 2.1, ¹ act of May 17, 1956 (P. L. 1609), known as the "Pennsylvania Industrial Development Authority Act," added May 5, 1965 (P. L. 42), are amended to read:

Section 2.1. Further Findings and Declaration of Policy.—It is hereby further determined and declared as a matter of legislative finding:

* * *

(c) That for the Commonwealth to continue to be successful in its efforts to alleviate unemployment, it is recognized that a goal of an unemployment rate of 6% of the labor force is no longer acceptable or meaningful; that a period of three years upon which to average the rate of unemployment is not sufficiently long to reflect the cyclical changes in the economy; and that the statutory requirements for financial assistance by the Commonwealth must be enlarged so as to permit industrial development agencies to continue to be eligible for such assistance until an unemployment rate of 4% is achieved for any five years of the preceding ten years.

(d) That if the Commonwealth is to keep pace with the national economy, to eliminate unemployment to a rate of 4% of the labor force, and to maintain said rate, to prevent further migration from the Commonwealth, and to maintain the rate of growth of the employment opportunities in the Commonwealth, it is deemed essential that the Pennsylvania Industrial Development Authority be authorized to make loans to industrial development agencies in an amount not in excess of 40% of a project cost in areas of the Commonwealth having an average rate of unemployment of 6% or higher for any five years of the preceding [five] ten years and to make loans not in excess of 30% of a project cost in areas having an average rate of unemployment of between 4% and 6% for any five years of the preceding [five] ten years.

Therefore, it is hereby declared to be the policy of the Commonwealth of Pennsylvania for the promotion of the health, safety,

¹ "of the" in original.

morals, right to gainful employment, business opportunities and general welfare of the inhabitants thereof and to more fully achieve the public purposes set forth in section 2 of this act, that the Pennsylvania Industrial Development Authority shall continue to exist and operate for the public purpose of alleviating unemployment throughout the Commonwealth to an average rate over a [five] ten year period of not in excess of 4% of the labor force. Such purpose is hereby declared to be a public purpose for which public money may be spent.

Section 2. Subsection (d) of section 3 and clauses (2) and (3) of subsection (a) of section 6 of the act, amended May 5, 1965 (P. L. 42), are amended, and section 3 of the act is amended by adding, after subsection (p), a new subsection to read:

Section 3. Definitions.—The following terms, whenever used or referred to in this act, shall have the following meanings, except in those instances where the context clearly indicates otherwise:

* * *

(d) The term "critical economic area" shall mean the area encompassing any municipality or group of municipalities, county, group of counties or region of the Commonwealth reasonably defined by the Authority wherein critical conditions of unemployment, economic depression, wide-spread reliance on public assistance and unemployment compensation are found to exist by the Authority. Prior to determination and designation of any area of the Commonwealth as a critical economic area the Authority shall conduct such investigations of the area and of the records and statistical indices of the Department of Internal Affairs, the Department of Labor and Industry, the Department of Public Assistance and the Department of Commerce of the Commonwealth, as well as the declarations and statistics of any Federal agencies as shall be necessary to establish the existence of the above conditions in such area and to establish that: (i) an average of not less than (6%) of the labor force of such area has been unemployed for [a period of not less than five] any five years of the preceding ten years, hereinafter designated "critical economic area A"; or (ii) an average of not less than [(9%)] (4%) of the labor force of such area has been unemployed for a period of not less than [eighteen] twelve months, hereinafter designated "critical economic area B"; or (iii) an average of not less than 4% of the labor force of such area has been unemployed for [a period of not less than five] any five years of the preceding ten years, hereinafter designated "critical economic area C," immediately prior to the date of such investigations and findings. No area of the Commonwealth shall be designated a critical economic area without such investigations and findings having been first made and certified to in the permanent records of the Authority. An area of the Commonwealth having once been designated a critical economic

area A or area C shall remain so for a period of six months following the month in which it ceases to qualify as a critical economic area as above defined and designated by the Authority.

* * *

(g) The term "mortgage" shall mean (i) a freehold mortgage on an industrial development project where the industrial development project is owned in fee by an industrial development agency and (ii) a leasehold mortgage on an industrial development project where the industrial development project is leased by an industrial development agency from the Commonwealth of Pennsylvania.

Section 6. Powers of the Authority; Loans to Industrial Development Agencies.—When it has been determined by the Authority upon application of an industrial development agency and hearing thereon in the manner hereinafter provided, that the establishment of a particular industrial development project of such industrial development agency in a critical economic area has accomplished or will accomplish the public purposes of this act, the Authority may contract to loan such industrial development agency an amount not in excess of the percentage of the cost of such industrial development project, as established or to be established as hereinafter set forth, subject, however, to the following conditions:

(a) Industrial development projects to be established:

* * *

(2) If the industrial development project is any other type of industrial development project than exclusively a research and development facility, the Authority may, in critical economic area A [and critical economic area B,] contract to loan the industrial development agency an amount not in excess of (40%) of the cost of such industrial development project if it has determined that the industrial development agency holds funds or property in an amount or value equal to not less than (10%) of the cost of establishing the industrial development project, which funds or property are available for and shall be applied to establishment of such project.

(3) If the industrial development project is any other type of industrial development project than exclusively a research and development facility, the Authority may, in a critical economic area [C] B and A critical economic area C, contract to loan the industrial development agency an amount not in excess of 30% of the cost of such industrial development project if it has determined that the industrial development agency holds funds or property in an amount or value equal to not less than 20% of the cost of establishing the industrial development project, which funds or property are available for or shall be applied to the establishment of such project.

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Section 4. ¹This act shall take effect immediately.

APPROVED—The 5th day of October, A. D. 1967.

RAYMOND P. SHAFER

No. 143

AN ACT

SB 1026

Amending the act of June 23, 1931 (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," transferring certain powers and duties from the Department of Internal Affairs and Secretary of Internal Affairs to the Department of Community Affairs and the Secretary of Community Affairs, and transferring records and equipment relative thereto, and making editorial changes.

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

Section 1. Sections 205, 503, 516, 517, 526, 540 and 560, act of June 23, 1931 (P. L. 932), known as "The Third Class City Code," reenacted and amended June 28, 1951 (P. L. 662), are amended to read:

Section 205. Returns of Election.—The county board of elections shall make return of the vote cast on the question submitted to the clerk of the court of the proper county or counties, and to the respective corporate authorities of the towns, townships and boroughs submitting such question. If a majority of the votes cast in each such town, township and borough on the question shall be in favor of creating a city, then returns thereof shall also be made by the county board of elections to the Secretary of the Commonwealth and the Department of [Internal] Community Affairs.

Section 503. Ordinance of City; Filing Copy Thereof.—Upon presentation to the council of such city of a certified copy of the ordinance in case of a borough, or of the petition in the case of a township or part thereof, together with the required plots in any case, the council of said city may, by ordinance, annex such borough, township, or part thereof to the said city. Certified copies of the borough and city ordinances and the petition and the plans shall be filed in the office of the clerk of the court of quarter sessions of the county or counties involved, and like copies shall be certified to the Department of [Internal] Community Affairs of the Commonwealth.

¹ "The provisions of this act shall become effective immediately" in original.