

No. 251

AN ACT

To amend sections one hundred and twenty-seven, one hundred and twenty-eight, one hundred and twenty-nine, and one hundred and thirty as added, and to add section one hundred and thirty-one, to the act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further regulating the creation of union school districts.

Section 1. Be it enacted, &c., That sections one hundred and twenty-seven, one hundred and twenty-eight, one hundred and twenty-nine, and one hundred and thirty of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as added by the act approved the twentieth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, one thousand twenty-three), are hereby amended to read as follows:

Section 127. Any two or more school districts may form a union school district in the following manner: Each of said districts desiring to form a union school district shall present a petition to the county commissioners of the county where such district is located, signed by at least [one-fourth of the whole number of taxable residents in such] *a majority of the members of the board of school directors of each of said districts.* The county commissioners shall take no action upon such petitions until they have been approved in writing by the Superintendent of Public Instruction. After such petitions have been approved and filed, it shall be the duty of the county commissioners to submit, to the electors of the respective districts desiring to form a union school district, at the next general or municipal election, a question whether or not such school districts shall be united into a union school district. Such question shall be submitted in the form and manner provided by the general election laws of this Commonwealth for the submission of similar questions.

Section 128. If a majority of the voters of each school district voting at said election shall be in favor of es-

Public School System.

Union school districts.

Sections 127, 128, 129 and 130, act of May 18, 1911 (P. L. 309), as amended by act of May 20, 1921 (P. L. 1023), further amended.

Union school districts.

Petition for establishment.

Approval of Superintendent of Public Instruction.

Submission of question to electors.

Certificate of return.

establishing a union district, as shown by the returns of said election, a certificate of the return shall be filed with the Superintendent of Public Instruction and with the clerk of the court of quarter sessions of the county *and with the board of school directors of each of said school districts.*

When effective.

Classification to be determined by combined population of districts.

Debts and liabilities.

Property, debts and taxes owing to districts.

Section 131 added.

Directors in union school districts.

Election

When effective.

Section 129. Whenever any union district shall be formed as herein provided, such district shall become a union school district on the first Monday in July after it has been formed. *The classification of any such union school district shall be determined for the purposes of this act by the combined population of all of the districts united, as shown by the last preceding decennial census of the United States.*

Section 130. Whenever any two or more school districts shall be consolidated into a union school district as herein provided, all the debts and liabilities of the several districts shall become the debts of the union school district, unless otherwise provided by an agreement in writing approved by a majority vote of each board of school directors *prior to the time said question of forming a union school district is submitted to the voters.* All rights of creditors against any of the said districts shall be preserved against the union school district. All property heretofore vested in the several districts shall become vested in the union district, and all debts and taxes owing to the districts, uncollected in the several districts, and all moneys in the treasuries of the several districts, shall be paid to the treasurer of the new district.

Section 2. That said act is hereby further amended by adding, after section one hundred and thirty, a new section, to read as follows:

Section 131. Whenever any two or more school districts shall be so consolidated into a union school district, the directors then in office in each of said districts shall continue in office until the expiration of their respective terms, and shall jointly constitute the board of school directors of the union school district. At the first municipal election after such a union school district is created, and at each subsequent municipal election, there shall be elected in such union school district the same number of school directors, and for like terms, as is provided by this act for school districts of the class to which such union school district belongs so that, upon the expiration of the terms of the directors of the former districts which were united, the board of school directors of such union school district shall be composed of the same number as in other districts in said class.

Section 3. This act shall become effective immediately upon final enactment.

APPROVED—The 26th day of May, A. D. 1933.

GIFFORD PINCHOT