

## No. 431

## 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 limiting approvals of State Public School Building Authority projects and municipality authority and nonprofit corporation projects, and further regulating Commonwealth payments to school districts on account of such obligations.

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

"Public School Code of 1949."

Section 1. Section \*790 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 added by the act, approved the twenty-first day of January, one thousand nine hundred fifty-two (Pamphlet Laws 2195), is hereby amended by adding, at the end thereof, a new paragraph to read as follows:

Section 790, act of March 10, 1949, P. L. 30, as added by act of January 21, 1952, P. L. 2195, amended by adding, at end thereof, a new paragraph.

Section 790. Grants, Conveyances, Appropriations to, Contracts with, and Leases from, Municipality Authorities.—Whenever the board of any municipality authority shall have undertaken a school project or projects for use by a school district individually or for use by two or more school districts jointly, such school district or school districts shall have the power, upon written approval of the Department of Public Instruction:

\* \* \* \* \*

*The Superintendent of Public Instruction shall not give his approval to any phase of any project or any project to be undertaken by the State Public School Building Authority or by any municipality authority or nonprofit corporation that would cause the approved reimbursable projects for such purposes to exceed four hundred and twenty-five million dollars (\$425,000,000) in the aggregate for all the authorities combined for projects already undertaken and to be undertaken.*

Section 2. Section 2511.1 of said act, as amended by the act, approved the twenty-first day of January, one thousand nine hundred fifty-two (Pamphlet Laws 2195), is hereby further amended to read as follows:

Section 2511.1, said act, as amended by act of January 21, 1952, P. L. 2195, further amended.

Section 2511.1. Payments on Account of Obligations to State Public School Building Authority and on

\* "709" in original.

Account of Rentals Payable to Municipality Authorities and Non-profit Corporations.—(a) The Commonwealth shall pay annually to each school district erecting or sharing in the erection of a building or buildings or providing educational equipment under the provisions of the State Public School Building Authority Act for every lease or contract entered into or approved by the Superintendent of Public Instruction prior to the effective date of this amending act, an amount to be determined (1) by multiplying the school district's standard reimbursement fraction by fifty one-hundredths (50-100) and by the annual rental charge as fixed by the State Public School Building Authority, or (2) if the district's standard reimbursement fraction is greater than five thousand nine hundred ninety-nine ten-thousandths (.5999), by multiplying the standard reimbursement fraction by itself and by the portion of the annual rental charge fixed by the State Public School Building Authority.

(a.1) The Commonwealth shall pay annually to each school district erecting or sharing in the erection of a building or buildings under the provisions of the State Public School Building Authority Act subsequent to the effective date of this amending act, an amount to be determined (1) by multiplying the school district's standard reimbursement fraction by fifty one-hundredths (50-100) and by that portion of the annual rental charge sufficient during the period of the lease to pay the cost of acquiring or constructing the school buildings, the cost of acquiring the land upon which the school buildings are situate, and the interest on such cost, or (2) if the district's standard reimbursement fraction is greater than five thousand nine hundred ninety-nine ten-thousandths (.5999), by multiplying the standard reimbursement fraction by itself and by the portion of the annual rental charge stated above.

(b) The Commonwealth shall also pay [, commencing with the school year one thousand nine hundred fifty-one—one thousand nine hundred fifty-two (1951-1952) and annually in each school year thereafter,] annually to each school district which shall have entered into [an approved lease] a lease approved by the Department of Public Instruction prior to the effective date of this amending act with a municipality authority or with a non-profit corporation for the rental of a school building or buildings or providing education equipment, an amount to be determined (1) by multiplying the school district's standard reimbursement fraction by fifty one-hundredths (50-100) and by the annual rental or share thereof [paid by the school district during the prior school year under its leave] provided for under its lease with such municipi-

pality authority or non-profit corporation, or (2) if the district's standard reimbursement fraction is greater than five thousand nine hundred ninety-nine ten-thousandths (.5999), by multiplying the standard reimbursement fraction by itself and by the annual rental or share thereof [paid by the school district during the prior school year] *provided for under its lease with such municipality authority or non-profit corporation.*

*(b.1) The Commonwealth shall also pay annually to each school district which shall have entered into an approved lease with a municipality authority or with a non-profit corporation for the rental of a school building or buildings, an amount to be determined (1) by multiplying the school district's standard reimbursement fraction by fifty one-hundredths (50-100) and by that portion of the annual rental or share thereof provided for under its lease with such municipality authority or non-profit corporation sufficient during the period of the lease to pay the cost of acquiring or constructing the school buildings, the cost of acquiring the land upon which the school buildings are situate, and the interest on such costs, or (2) if the district's standard reimbursement fraction is greater than five thousand nine hundred ninety-nine ten-thousandths (.5999), by multiplying the standard reimbursement fraction by itself and by the portion stated above of the annual rental or share thereof provided for under its lease with such municipality authority or non-profit corporation.*

*(b.2) No payment shall be made to any school district on account of any lease entered into with the State Public School Building Authority or any municipality authority or non-profit corporation unless such lease is approved by the Department of Public Instruction. If a school district desires to provide facilities in excess of or more expensive than those which the Department of Public Instruction is willing to approve, the Department of Public Instruction may authorize payment to the district of a proportionate part of the reimbursement, determined in accordance with the foregoing formula, based on the estimated annual rental necessary to provide the facility which the department is willing to approve. The Department of Public Instruction [shall] may give its approval if it shall find that the leased project is in conformance with general county and State plans for an orderly development of improved attendance areas and administrative units and for the improved housing of public schools in the Commonwealth, that the school building will conform with standards and regulations prescribed by the department with respect to educational design, location, usefulness for community activities, safety, comfort and convenience, and that the*

school district or school districts to which the project is to be leased will have the ability to meet from current revenues the rental or their respective shares of rental to be paid to the municipality authority or non-profit corporation under the proposed lease and to defray the cost of their respective shares of the cost of operation and maintenance of the project.

(c) The standard reimbursement fraction used for the above purposes shall be the actual fraction as determined by the Department of Public Instruction, as provided in clause (6) of section two thousand five hundred one of the act to which this is an amendment, without reference to the minimum value of such reimbursement fraction.

Payments to a school district shall be determined and approved by the Department of Public Instruction. The amount so approved shall be included in and be payable from any future appropriations made to the Department of Public Instruction.

Section 3. The provisions of this act shall become effective immediately upon final enactment.

Act effective immediately.

APPROVED—The 26th day of August, A. D. 1953.

JOHN S. FINE

No. 432

AN ACT

To amend clause (b) of section 1 of the act, approved the thirtieth day of June, one thousand nine hundred forty-seven (Pamphlet Laws 1183), entitled "An act relating to strikes by public employes; prohibiting such strikes; providing that such employes by striking terminate their employment; providing for reinstatement under certain conditions; providing for a grievance procedure; and providing for hearings before civil service and tenure authorities, and in certain cases before the Pennsylvania Labor Relations Board," by making certain changes in the grievance procedure provided for in the act.

Strikes by public employes.

Clause (b) of section 1, act of June 30, 1947, P. L. 1183, amended.

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

Section 1. Clause (b) of section 1 of the act, approved the thirtieth day of June, one thousand nine hundred forty-seven (Pamphlet Laws 1183), entitled "An act relating to strikes by public employes; prohibiting such strikes; providing that such employes by striking terminate their employment; providing for reinstatement under certain conditions; providing for a grievance procedure; and providing for hearings before civil service and tenure authorities, and in certain cases before the Pennsylvania Labor Relations Board," is hereby amended to read as follows: