

No. 446

## AN ACT

Amending the act of April nine, one thousand nine hundred twenty-nine (Pamphlet Laws 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," designating the days on which State employes shall be paid and repealing inconsistent legislation.

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

The Administrative Code of 1929.

Section 1. Article II., act of April nine, one thousand nine hundred twenty-nine (Pamphlet Laws 177), known as "The Administrative Code of one thousand nine hundred twenty-nine," is amended by adding, at the end thereof, a new section to read:

Article II., act of April 9, 1929, P. L. 177, amended by adding a new section 223.

*Section 223. Payday.—Each employe of an administrative department, of an independent administrative board or commission \*and of a departmental administrative board or commission, shall be paid his regular salary every other week.*

Section 2. The act of June one, one thousand nine hundred fifteen (Pamphlet Laws 701), entitled "An act regulating the payment of persons in the employ of the Commonwealth," is repealed.

Act of June 1, 1915, P. L. 701, repealed.

Section 3. All other acts and parts of acts are repealed in so far as they are inconsistent herewith.

General repeal.

Section 4. This act shall take effect June one, one thousand nine hundred fifty-six.

Effective date of act.

APPROVED—The 4th day of April, A. D. 1956.

GEORGE M. LEADER

\* "and" omitted in original.

No. 447

## AN ACT

To amend the act approved the twenty-first day of May, one thousand nine hundred forty-three (Pamphlet Laws 349), entitled "An act requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid thereto, and giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds; making the provisions of the act retroactive; and repealing existing laws," by further prescribing what taxes or license fees may be refunded or sued for.

Taxes and license fees.

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

Sections 1 and 2, act of May 21, 1943, P. L. 349, amended.

Section 1. Sections one and two of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (Pamphlet Laws 349), entitled "An act requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid thereto, and giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds; making the provisions of the act retroactive; and repealing existing laws," are hereby amended to read as follows:

Refund when erroneously paid into treasury of any political subdivision.

Section 1. Whenever any person or corporation of this Commonwealth has erroneously or inadvertently paid or caused to be paid into the treasury of any political subdivision, directly or indirectly, any tax or taxes on real or personal property, or any license fee or fees, under an assumption that such taxes or license fees were due and owing, when in fact such taxes or license fees, or a part thereof, were not due and owing to the political subdivision, then in such cases the authorities of the political subdivision, upon due proof of any such erroneous or inadvertent tax or license fee payments, are hereby directed to draw their warrant on the treasurer of such political subdivision in favor of such person or corporation, to make refund out of the public funds of such tax or taxes or license fee or fees to which the political subdivision has no valid claim: Provided, however, That no such refund shall be made sooner than the first day of September, one thousand nine hundred forty-four, *and in no case shall any refund be made of taxes or license fees paid to the political subdivision more than three years prior to the discovery of such erroneous or inadvertent payment.*

The provisions of this act shall be construed to include taxes paid upon real estate assessments, which erroneously contained buildings which had been previously

destroyed or torn down, but whose destruction was not noted by the assessors and was included in the \*assessment.

Section 2. In the event of refusal or failure on the part of authorities of the political subdivision involved to make any such refund of taxes or fees so erroneously paid into the treasury thereof, then the aggrieved person or corporation shall have the right to recover the sum involved, *subject to the limitation herein provided*, by instituting an action in assumpsit in any court of competent jurisdiction within the county wherein such political subdivision is located.

May institute action in assumpsit in case of refusal of refund.

Section 2. Section three of the act is hereby repealed.

Section 3, act of May 21, 1943, P. L. 349, repealed.

APPROVED—The 4th day of April, A. D. 1956.

GEORGE M. LEADER

No. 448

### AN ACT

Reenacting and amending the act of July twenty-nine, one thousand nine hundred fifty-three (Pamphlet Laws 996), entitled "An act creating an Anthracite Mine Drainage Study Commission for the purpose of making a study, investigation and legislative recommendations relating to the drainage of anthracite mines; and making an appropriation," by authorizing the commission to act in an advisory capacity in the allocation of funds.

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

Anthracite Mine Drainage Study Commission.

Section 1. The title and all the sections of the act of July twenty-nine, one thousand nine hundred fifty-three (Pamphlet Laws 996), entitled "An act creating an Anthracite Mine Drainage Study Commission for the purpose of making a study, investigation and legislative recommendations relating to the drainage of anthracite mines; and making an appropriation," are reenacted and amended to read:

Title and all sections, act of July 29, 1953, P. L. 996, reenacted and amended.

### AN ACT

Creating an Anthracite Mine Drainage Study Commission for the purpose of making a study, investigation and legislative recommendations relating to the drainage of anthracite mines; *authorizing the commission to act in an advisory capacity in the allocation of funds*; and making an appropriation.

Title.

\* "assessments" in original.