

lishing and maintenance of one or more sanatoria or colonies, in Pennsylvania, for the free care and treatment of indigent persons suffering from tuberculosis, and making an appropriation therefor," are amended to read:

AN ACT

Title. To provide for the establishing and maintenance of one or more sanatoria or colonies, in Pennsylvania, for the free care and treatment of [indigent] persons suffering *or suspected of suffering* from tuberculosis, and making an appropriation therefor.

State sanatoria. Section 1. Be it enacted, &c., That one or more sanatoria or colonies be established in the State, for the reception and treatment of [indigent persons affected with incipient tuberculosis, and those so far advanced with the same disease, that may be made comfortable, and removed from their families and the people at large to prevent the spread of the contagion.] *persons affected or suspected of being affected with tuberculosis, and removed from their families and people at large to prevent the spread of contagion.*

Treatment of tuberculosis.

Department of Health, with the approval of the Governor, may erect and equip building.

For these purposes the Department of Health, with the approval of the Governor, shall be authorized to acquire property, erect buildings, equip the same, and do all things necessary to accomplish such work, for the best interests of the people of this Commonwealth, in curing and preventing tuberculosis.

Act effective immediately.

Section 2. The provisions of this act shall become effective immediately upon final enactment.

APPROVED—The 6th day of April, A. D. 1956.

GEORGE M. LEADER

No. 471

AN ACT

Regulating waste disposal areas in certain parts of the Commonwealth; providing for permits; placing duties upon the Department of Mines; and imposing penalties.

Preamble.

Whereas, the igniting of fires on waste disposal areas, as herein defined, has proven a menace to the lives and property of our citizens in the anthracite and bituminous coal mining areas; and

Whereas, the Commonwealth, the Federal government and local governments have expended and are committed to the expenditure of large sums of money in extinguishing and controlling these fires and the poisonous gases issuing therefrom; and

Whereas, to protect lives and property, the General Assembly deems it important to regulate the use of waste disposal areas.

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

Section 1. Purpose of Act.—This act is an exercise of the police power of the Commonwealth for the protection of the lives and property of the people in those areas of the Commonwealth where anthracite and bituminous coal is or has been mined. Purpose.

Section 2. Definitions.—The following words, terms and phrases when used in this act shall have the meanings ascribed to them in this section, except in those instances where the context clearly indicates a different meaning. Definitions.

(1) "Department" means the Department of Mines of this Commonwealth.

(2) "Association" means a partnership, limited partnership, or any form of unincorporated enterprise owned by one or more persons.

(3) "Corporation" means a corporation or stock association organized under the laws of this Commonwealth, the United States or any other state, territory or foreign country or dependency.

(4) "Person" means every natural person, association or corporation, whenever used in any clause, prescribing and imposing a fine or imprisonment, or both. The term "person" as applied to "association" shall mean the partners or members thereof, and as applied to "corporation," the officers thereof.

(5) "Secretary" means the Secretary of Mines of this Commonwealth or his duly authorized deputy or representative.

(6) "Waste disposal area" means any land used in the anthracite and bituminous coal mining areas of this Commonwealth as a place for the dumping, depositing or disposal of garbage, refuse, ashes, rubbish or other material, but shall not include any gob or other refuse from coal mining operations.

Section 3. Application of Act.—This act shall apply only to lands in the anthracite and bituminous coal mining areas of this Commonwealth, but it shall be applicable whether the land is being used by a person as herein defined or by a political subdivision of this Commonwealth. Applicability.

Section 4. Permits.—(a) On and after the effective date of this act, it shall be unlawful for any person to continue to use his land, or the land of any other person, as a waste disposal area unless a permit or permits shall have been issued to him as hereinafter required by this act. Permits.

(b) Every person using his land, or using the land of some other person, as a waste disposal area shall file an application for a permit for such use with the department. The application shall be made upon a form prescribed, prepared and furnished by the department, and shall set forth such information as the department may require, including, but not limited to, the precautions and methods which will be taken to prevent the ignition of the waste disposal area. Such permits may be issued upon such conditions and provisions as the Secretary shall deem necessary to prevent the waste disposal area from becoming a fire or gas hazard.

(c) Upon inspection of the proposed waste disposal area and approval of the application, the department shall grant and issue a permit for each place of business within the Commonwealth set forth in the application. Permits shall not be assignable without the approval of the department and shall be valid only for those in whose names issued and for the places designated therein. All permits shall expire on the thirty-first day of May next succeeding the date upon which they are issued, or unless sooner suspended, surrendered or revoked for cause by the Secretary.

Penalties.

Section 5. Penalties.—(a) Any person using the land of another as a waste disposal area without a permit from the Department of Mines shall, upon summary conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, and in default of payment thereof, shall undergo imprisonment for not more than ten (10) days.

(b) Any person permitting the use of his land as a waste disposal area without a permit from the Department of Mines shall, upon summary conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, and in default of payment thereof, shall undergo imprisonment for not more than ten (10) days.

(c) Any person who shall continue to violate the provisions of subsection (a) or (b), after conviction in a summary proceeding as above provided, shall be guilty of a misdemeanor, and upon conviction thereof in the court of quarter sessions, shall be sentenced to pay a fine of not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00). Every day during which this law is violated shall constitute a separate offense.

(d) Any permit granted by the department as provided in this act shall be revocable or subject to suspension at any time the department shall determine the

waste disposal area is, or has been conducted in a manner dangerous to life or property.

Section 6. In cases where the Secretary deems the circumstances require it for the protection of lives and/or property, a mandatory preliminary injunction or special injunction may be issued upon the terms prescribed by the court. Injunction.

Section 7. The Department of Mines is authorized to make, alter, amend and repeal such rules and regulations in connection with the granting of the permits and the use of the waste disposal areas as it deems necessary, to prevent fires on the waste disposal areas, the emission of gases therefrom, and generally to effectuate the purposes of this act. Rules and Regulations.

Section 8. Every waste disposal area shall be inspected, from time to time, by the duly authorized representative of the department, and reports thereof shall be forwarded to the Secretary. Inspections.

Section 9. Permits shall be issued upon payment of a fee of twenty-five dollars (\$25.00) for each permit. Permit Fee.

APPROVED—The 6th day of April, A. D. 1956.

GEORGE M. LEADER

No. 472

AN ACT

Amending the act of May twenty-five, one thousand nine hundred thirty-three (Pamphlet Laws 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; creating a board for the management thereof; providing the mode and manner of payment to beneficiaries, and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," further regulating the withdrawal of service increment contributions.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: Cities of second class.

Section 1. Clause (4) of section 12.4, act of May twenty-five, one thousand nine hundred thirty-three (Pamphlet Laws 1050), entitled "An act creating and establishing a fund for the care, maintenance and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; creating a board for the management thereof; providing the mode and manner of payment to beneficiaries, and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board Clause (4), section 12.4, act of May 25, 1933, P. L. 1050, added October 21, 1955, P. L. 717, amended.