

verted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by including tuberculosis within the meaning of the term occupational disease in the occupation of nursing or auxiliary services.

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

The Pennsylvania Occupational Disease Act.

Section 1. Clause (m) of section one hundred eight, act of June twenty-one, one thousand nine hundred thirty-nine (Pamphlet Laws 566), known as "The Pennsylvania Occupational Disease Act," amended July nineteen, one thousand nine hundred fifty-one (Pamphlet Laws 1089), is amended to read:

Clause (m), section 108, act of June 21, 1939, P. L. 566, amended July 19, 1951, P. L. 1089, further amended.

Section 108. The term "occupational disease," as used in this act, shall mean only the following diseases:

Occupational diseases.

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(m) Tuberculosis in the occupation of nursing [in hospitals or sanatoria] or *auxiliary services* involving exposure to such disease.

APPROVED—The 20th day of April, A. D. 1956.

GEORGE M. LEADER

No. 489

AN ACT

Amending the act of June twenty-two, one thousand nine hundred thirty-seven (Pamphlet Laws 1987), entitled, as amended, "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health, animal and aquatic life, and for industrial consumption, and recreation; empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts in the enforcement thereof; requiring the approval of the Attorney General for prosecutions thereunder; providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts; authorizing the acquisition by purchase or condemnation, or otherwise, of easements and right of ways; the acquisition or construction of pipes, conduits, drains or tunnels by the Sanitary Water Board; and providing for payment of the costs thereof by the Commonwealth; authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with certain provisions of the act in certain cases and making it unlawful to open, reopen or continue operation of any coal mine, or to change any approved drainage or disposal plan without prior approval by the Sanitary Water Board," authorizing certain corporations to acquire interests in land by eminent domain.

Anti-pollution.

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

Article III, act of June 22, 1937, P. L. 1987, as amended, further amended by adding a new section 314.

Section 1. Article III. of the act of June twenty-two, one thousand nine hundred thirty-seven (Pamphlet Laws 1987), entitled, as amended, "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health, animal and aquatic life, and for industrial consumption, and recreation; empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts in the enforcement thereof; requiring the approval of the Attorney General for prosecutions thereunder; providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts; authorizing the acquisition by purchase or condemnation, or otherwise, of easements and right of ways; the acquisition or construction of pipes, conduits, drains or tunnels by the Sanitary Water Board; and providing for payment of the costs thereof by the Commonwealth; authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with certain provisions of the act in certain cases and making it unlawful to open, reopen or continue operation of any coal mine, or to change any approved drainage or disposal plan without prior approval by the Sanitary Water Board," is amended by adding, at the end thereof, a new section to read:

Section 314. Authorizing Certain Corporations to Acquire Interests in Land by Eminent Domain.—Whenever the Sanitary Water Board shall direct any corporation to cease discharging industrial waste into any waters of the Commonwealth, pursuant to the public policy set forth in this act, and such directive would materially affect the operations of that corporation's business, then such corporation if not otherwise vested with the right of eminent domain may make application to the board for an order, finding that the use by the applicant of a specified interest in a specifically described piece of land is necessary in connection with the elimination, reduction or control of the pollution of any of the waters of this Commonwealth. For the purposes of this act, such corporations are vested with the right of eminent domain which shall be exercised only upon authorization of the board, in which event they shall proceed in the manner and form set forth in section forty-one, act of April twenty-nine, one thousand eight hundred seventy-four (Pamphlet Laws 73), and its

amendments: Provided, That no property devoted to a public use or owned by a public utility or used as a place of public worship or used for burial purposes shall be taken under the right of eminent domain: And provided further, That where any existing public street or road is vacated by any municipality in order to facilitate any undertaking in connection with land acquired under the right of eminent domain as provided for above, the corporation acquiring such land shall reimburse all public utilities for the costs of relocating and reconstructing their facilities necessitated by the closing of any such street or road.

In the event the application by the corporation to the board is denied, then the corporation so applying may appeal to the court of common pleas in the county where the specified land in which the specified interest is sought to be obtained by eminent domain is situated, and the court shall be empowered to review all questions of fact as well as of law.

APPROVED—The 20th day of April, A. D. 1956.

GEORGE M. LEADER

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No. 490

AN ACT

To amend the act approved the twenty-eighth day of July, one thousand nine hundred fifty-three (Pamphlet Laws 723), entitled "An act relating to counties of the second class; amending, revising, consolidating and changing the laws relating thereto," by authorizing collection of data concerning deceased veterans of armed conflicts, and authorizing the erection of monuments to veterans of armed conflicts.

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

Second Class
County Code.

Section 1. Subsection (e) of section two thousand one hundred twenty-three and section two thousand five hundred fifty-five of the act, approved the twenty-eighth day of July, one thousand nine hundred fifty-three (Pamphlet Laws 723), entitled "An act relating to counties of the second class; amending, revising, consolidating and changing the laws relating thereto," are hereby amended to read as follows:

Subsection (e),
section 2123 and
section 2555, act
of July 28, 1953,
P. L. 723,
amended.

Section 2123. Compilation of War Records; Director of Veterans' Affairs.—

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(e) For the purpose of locating the burial places of persons who have served in the military or naval service