

to any estates or tenancies vested in third persons, whether or not appearing of record, for any portion of the land or improvements erected thereon.

Section 3. The grant of right-of-way shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth.

Approval and Execution.

Section 4. This grant and conveyance shall be made to Upper St. Clair Township without consideration.

No consideration for grant.

Section 5. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 21st day of June, A. D. 1961.

DAVID L. LAWRENCE

No. 262

AN ACT

Authorizing the Commonwealth of Pennsylvania, through the Department of Commerce and The Pennsylvania Industrial Development Authority to cooperate with and implement the program of the Federal Government as established by the Federal Area Redevelopment Act for economic assistance to redevelopment areas in the Commonwealth suffering from substantial and persistent unemployment and underemployment; authorizing The Pennsylvania Industrial Development Authority to participate with any Federal agency in the financing of industrial development projects in redevelopment areas and authorizing The Pennsylvania Industrial Development Authority to make loans to industrial development agencies for the establishment of industrial parks in redevelopment areas and critical economic areas.

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

Pennsylvania Redevelopment Area Economic Cooperation and Implementation Act.

Section 1. Short title.—This act shall be known and may be cited as the “Pennsylvania Redevelopment Area Economic Cooperation *and Implementation Act.”

Section 2. Findings and Declaration of Policy.—It is hereby determined and declared as a matter of legislative finding—

(a) The Congress of the United States has declared, as expressed in the Area Redevelopment Act of 1961 (Public Law No. 27, 87th Congress, 1st Session), that the maintenance of the national economy at a high level is vital to the best interests of the United States, but that some of our communities are suffering substantial and persistent unemployment and underemployment and that such unemployment and underemployment

* “and” not in original.

cause hardship to many individuals and their families and detract from the national welfare by wasting vital human resources; that to overcome this problem the Federal government, in cooperation with the states, should help areas of substantial and persistent unemployment and underemployment to take effective steps in planning and financing their economic redevelopment.

(b) The General Assembly has long since recognized the importance to the national and State welfare of the maintenance of the national and State economy at a high level as evidenced by the enactment of the Pennsylvania Industrial Development Authority Act and the establishment and administration of The Pennsylvania Industrial Development Authority thereunder.

(c) The General Assembly herewith reiterates the previously declared policy of the Commonwealth of Pennsylvania, as stated in the Pennsylvania Industrial Development Authority Act, to promote the welfare, safety, morals, right to gainful employment, business opportunities and general welfare of the inhabitants thereof, and the public purpose of alleviating unemployment and underemployment by the promotion and development of commercial, industrial and manufacturing enterprises in those areas of the Commonwealth in which conditions of critical unemployment and underemployment are current or may from time to time exist.

(d) That in the furtherance of such policy and the fulfillment of such public purpose, the Commonwealth of Pennsylvania should enlarge its current program of economic aid to areas of critical unemployment and underemployment in such manner as will best implement the economic assistance program as authorized by the Congress through the enactment of the Area Redevelopment Act and as will best assure that such area of the Commonwealth may avail themselves of the maximum benefits to be derived from such act.

Section 3. Definitions.—The following terms, whenever used or referred to in this act, shall have the following meanings, except in those instances where the context clearly indicates otherwise:

(a) The term "Authority" shall mean The Pennsylvania Industrial Development Authority created under the Pennsylvania Industrial Development Authority Act of May 17, 1956 (P. L. 1609).

(b) The term "Federal Act" shall mean the Area Redevelopment Act of 1961 (Public Law No. 27, 87th Congress, 1st Session), as from time to time amended and supplemented.

(c) The term "Federal agency" shall mean and include the United States of America, The President of the United States of America, the Secretary of Commerce

of the United States of America, and any department of, or corporation, agency or instrumentality heretofore or hereafter created, designated or established by the United States of America.

(d) The term "industrial development agency" shall mean any incorporated organization, foundation, association or agency, regardless of the particular name, and to whose members or shareholders no profit shall enure, which shall have as its primary function the promotion, encouragement and development of commercial, industrial and manufacturing enterprises in a redevelopment area.

(e) The term "industrial development project" shall mean any land, site, structure, facility or undertaking (including in cases of demonstrated need, machinery and equipment) comprising or being connected with or being a part of a commercial, industrial or manufacturing enterprise established or to be established by an industrial development agency in a redevelopment area.

(f) The term "industrial parks" shall mean land areas acquired, improved and prepared by industrial development agencies in accordance with plans and specifications as approved by the Authority as sites for the establishment thereon of industrial development projects by industrial development agencies.

(g) The term "redevelopment areas" shall mean those areas in the Commonwealth designated as such redevelopment areas by a Federal agency in the manner provided in the Federal Act.

Section 4. In any instance where a Federal agency participates in the financing of an industrial development project in a redevelopment area in the manner provided in the Federal Act, the Authority shall be and hereby is authorized and empowered to participate in such financing and to exercise all powers with regard thereto as are granted it by the Pennsylvania Industrial Development Authority Act. In order that such financing may be effectuated on a participating basis with the Federal agency, the Authority herewith is empowered to take as security for any loans made in accordance therewith any evidences of indebtedness of like form and character taken in such financing by the Federal agency notwithstanding the mortgage financing requirements of the Pennsylvania Industrial Development Authority Act: Provided, however, That the evidences of indebtedness so taken by the Authority may be junior in security or lien and time of payment to that of the Federal agency: And provided further, That the cost of the industrial development project may include costs not authorized for financing by the Authority under the Pennsylvania Industrial Development Authority Act.

Section 5. In order that redevelopment areas in the Commonwealth may be assured of maximum benefits to be derived from participation in the economic assistance program established by the Federal Act, the Department of Commerce of the Commonwealth is designated and hereby is empowered to act as the agency of the Commonwealth charged with the responsibility of meeting the requirements of the Federal Act as to approving all applicants applying for assistance thereunder and for the making of all findings as may be required with regard to projects so assisted by it in conformance with overall programs for the economic development of redevelopment areas.

The Department of Commerce of the Commonwealth is further empowered and shall use its facilities and services in assisting the industrial development agencies in redevelopment areas in the preparation of sound overall programs for the economic development of such redevelopment areas, and where required by the Federal Act or a Federal agency in the administration thereof, certify its approval of such programs where the department finds the same to be soundly conceived and reasonable of accomplishment.

Section 6. In the further encouragement of the economic development in redevelopment areas and in critical economic areas as that term is defined in the Pennsylvania Industrial Development Authority Act, the Authority is further authorized and empowered to make and exercise all powers granted it herein or by said act, either with or without Federal agency participation, to make loans to industrial development agencies for the establishment of industrial parks: Provided, however, That such loans made in any fiscal year of the Commonwealth shall not exceed in the aggregate amount the sum of \$1,000,000: And provided further, That such loans only shall be made where the Authority receives as security therefor a first mortgage on such industrial park or is a participant in a first mortgage thereon, subject to the exception that where a Federal agency is participating in the financing of an industrial park, the Authority may take a mortgage as security for its participation therein junior in lien only to that of the Federal agency.

Where making a loan in the financing of an industrial park, the requirement of the Pennsylvania Industrial Development Authority Act as to the proposed industrial or manufacturing enterprise to be placed thereon, the proposed employment to be derived therefrom and the existence of a responsible buyer or responsible tenant therefor shall not apply.

Section 7. Constitutional Construction.—The provisions of this act shall be severable and, if any of the

provisions thereof shall be held unconstitutional, such decisions shall not affect the validity of any of the remaining provisions of this act. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein.

Section 8. The provisions of this act shall become effective immediately upon enactment.

APPROVED—The 6th day of July, A. D. 1961.

DAVID L. LAWRENCE

No. 263

AN ACT

Amending the act of June 25, 1947 (P. L. 956), entitled "An act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer, and quarter sessions, of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes," increasing certain fees and making certain editorial corrections.

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

Counties of 3rd, 4th, 5th, 6th, 7th and 8th classes.

Section 1. So much of section 1 as refers to oyer and terminer, desertion and non-support indictments, and quarter sessions, act of June 25, 1947 (P. L. 956), entitled "An act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer, and quarter sessions, of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes," amended August 21, 1953 (P. L. 1245), is amended to read:

Certain parts of section 1, act of June 25, 1947, P. L. 956, amended August 21, 1953, P. L. 1245, further amended.

Section 1. The fees to be received by the clerks of the courts of oyer and terminer, and quarter sessions of this Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes shall be as follows:

Certain fees of clerks of courts of oyer and terminer and quarter sessions increased.

* * * * *

Oyer and terminer, [all] *initial* services performed in [one] *each* prosecution, *exclusive of all additional specific fees enumerated herein*, \$20.00.

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Processing desertion and non-support indictment, [\$6.00] \$10.00.

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