

regulating its labeling, sale and serving; imposing powers and duties on the Department of Agriculture; providing penalties and making repeals," further providing for the contents of labels.

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

Milk and its derivatives administered by Department of Agriculture.

Subsection (a), section 6, act of August 8, 1961, P. L. 975, amended.

Section 1. Subsection (a) of section 6, act of August 8, 1961 (P. L. 975), entitled "An act defining milk and its derivatives, prohibiting its adulteration, regulating its labeling, sale and serving; imposing powers and duties on the Department of Agriculture; providing penalties and making repeals," is amended to read:

Section 6. Labeling.—(a) The labeling of any product defined in section 1, except raw milk for processing, shall include the designation of the product, the name and address of the processor or distributor, and a declaration of the net contents. *When the name and address of the distributor appear in lieu of that of the processor, such words as "manufactured for," "distributed by," or "packed for," shall also appear on the package as well as a code approved by the Secretary of Agriculture indicating the actual processor's name and address.* Brand names may be approved by the Secretary of Agriculture provided that they do not detract from the proper designation of the product.

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Section 2. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 14th day of August, A. D. 1963.

WILLIAM W. SCRANTON

No. 418

AN ACT

Amending the act of November 21, 1959 (P. L. 1579), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire, purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers; giving additional powers to the Department of Public Welfare in connection with youth development centers; providing for reimbursement by counties for expenses of minors committed to youth development centers; and making appropriations," eliminating certain institutions authorized to be acquired, purchased or leased by the Commonwealth under the provisions of the act.

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

Department of Public Welfare: Youth Development Centers.

Section 2, act of November 21, 1959, P. L. 1579, amended August 4, 1961, P. L. 924, further amended.

Section 1. Section 2, act of November 21, 1959 (P. L. 1579), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire, purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers; giving additional powers to the Department of Public Welfare in connection with youth development centers; providing for reimbursement by counties for expenses of minors committed to youth development centers; and making appropriations," amended August 4, 1961 (P. L. 924), is amended to read:

Department of Property and Supplies, with approval of Governor, authorized to acquire real and personal property of certain institutions.

Section 2. The Department of Property and Supplies, with the approval of the Governor, is hereby authorized to acquire, purchase or lease, in the name of the Commonwealth, any of the following institutions, including in each instance such land, improvements and personal property as shall be agreed upon by the owner and the Department of Public Welfare:

(a) St. John's and St. Mary's Homes, Altoona Catholic Diocese, at Cresson, Cambria County, containing approximately one hundred thirty (130) acres;

(b) Greene County Children's Home, Waynesburg, Greene County, containing approximately twenty-five (25) acres;

(c) Tressler Lutheran's Home, Loysville, Tyrone Township, Perry County, containing approximately one hundred (100) acres;

[(d) Sunbury Odd Fellows Home, Pennsylvania Odd Fellows, Sunbury, Northumberland County, containing approximately two hundred eighty-seven (287) acres;

(e) Locust Gap High School, Locust Gap, Mt. Carmel Township, Northumberland County, containing approximately four (4) acres;]

(f) Luzerne County Industrial School, Kis-Lyn, Luzerne County, containing approximately six hundred fifteen (615) acres;

[(g) Presbyterian Children's Village, Presbyterian Orphanage, Philadelphia, containing approximately six (6) acres;]

(h) Youth Rehabilitation Center, Front and Luzerne Streets, Philadelphia, containing approximately twenty (20) acres;

[(i) Disciplinary Barracks Section of the United States Army, Quartermaster Depot, at New Cumberland;]

(j) The Allegheny County Industrial and Training School for Boys, usually known as Thorn Hill School,

Warrendale, Allegheny County, containing approximately fourteen hundred (1400) acres.

When the above institutions are acquired, purchased or leased, they shall be known, respectively, as: Youth Development Center at Cresson, Youth Development Center at Waynesburg, Youth Development Center at Loysville, [Youth Development Center at Sunbury, Youth Development Center at Locust Gap,] Youth Development Center at Kis-Lyn, [Youth Development Center at West Philadelphia,] Youth Development Center at North Philadelphia, [Youth Development Center at New Cumberland] and the Youth Development Center at Warrendale.

Title designation.

No real property shall be acquired or purchased under this section until the title thereto has been approved by the Department of Justice.

Approval required by Department of Justice.

APPROVED—The 14th day of August, A. D. 1963.

WILLIAM W. SCRANTON

No. 419

AN ACT

Relating to the conveyance and transfer of estates, rights and interests in air space, and their status and taxation as real property.

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

Air space.

Section 1. Estates, rights and interests in air space above the surface of the ground in this Commonwealth, whether or not contiguous to the surface of the ground, may be validly conveyed or otherwise transferred to a person or persons other than the owner or owners of the surface below.

Air space above ground surface may be conveyed.

Section 2. Estates, rights and interests in air space above the surface of the ground may be held, enjoyed, possessed, aliened, conveyed, leased or mortgaged as real property, shall pass by descent and distribution, and shall be dealt with for all purposes and in all respects as estates, rights and interests in real property. All the rights, privileges, incidents, powers, remedies, burdens, duties, liabilities and restrictions pertaining to estates, rights and interests in real property shall appertain and be applicable to estates, rights and interests in air space above the surface of the ground. All provisions of the laws, ordinances and regulations of this Commonwealth and its political subdivisions applicable to estates, rights and interests in and uses of real property shall apper-

All rights, interests and estates in air space may be transferred as real property.

tain and be applicable to estates, rights and interests in and uses of air space above the surface of the ground. Estates, rights and interests in air space above the surface of the ground shall be subject to the exclusive national sovereignty of the United States of America in the air space of the United States and the public right of transit and flight of aircraft granted by the United States of America and the Commonwealth of Pennsylvania.

Section 3. Estates, rights and interests in air space or parcels thereof above the surface of the ground, whether or not contiguous to the surface of the ground, shall if separately owned be separately assessed for taxation by each assessing unit in the Commonwealth for all types of taxes authorized by law to be assessed against real property.

Applicability.

Section 4. The provisions of this act shall be applicable to estates, rights and interests in air space above the surface of the ground, whether heretofore or hereafter created.

Severability.

Section 5. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional, the decision of the court shall not affect or impair any of the remaining provisions of this act. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein.

APPROVED—The 14th day of August, A. D. 1963.

WILLIAM W. SCRANTON

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No. 420

AN ACT

Amending the act of July 13, 1953 (P. L. 431), entitled "An act relating to support of dependents; providing a procedure for enforcement thereof, including attachment of property and earnings; conferring powers and imposing duties upon courts, district attorneys and probation officers," including within the provisions of the act the duty of support in cases of failure to support children born out of lawful wedlock.

The Pennsylvania Civil Procedural Support Law.

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

Section 2 and subsection (a), section 5, act of July 13, 1953, P. L. 431, amended.

Section 1. Section 2 and subsection (a) of section 5, act of July 13, 1953 (P. L. 431), known as "The Pennsylvania Civil Procedural Support Law," are amended to read:

Section 2. Definitions.—The masculine *pronoun when used in this act shall be construed to include the female.

“Court” as used in this act shall be construed to mean the quarter sessions court of any county, the [Municipal] *County* Court of Philadelphia and the County Court of Allegheny County.

“Law” includes both common and statute law.

“Duty of Support” includes any duty of support imposed or imposable by law or by any court order, decree or judgment, whether interlocutory or final, whether incidental to a proceeding for divorce, legal separation, separate maintenance, *prosecution for failure to support a child born out of lawful wedlock*, or otherwise.

“Probation Officer” shall include any officer now or hereafter serving in any court at the direction of the court in the Domestic Relations Division of this court and to whom is assigned the enforcement of the duty to support.

“Initiating County” means any county in which any proceeding pursuant to this act is commenced.

“Responding County” means any county (including the initiating county) in which any proceeding pursuant to the proceeding in the initiating county is or may be commenced.

“Complaint” shall include any petition, information, affidavit or any other legal document for the institution of support proceedings.

Section 5. Commencement of Actions.—(a) A support action under this act shall be commenced by the filing of a verified complaint which shall state as follows: (1) The name and address of the complainant; (2) The name and address of the defendant; (3) The date and place of marriage *if married, or if unmarried the date and place of birth of each child born out of lawful wedlock*; (4) The names and ages of any children; (5) Date and circumstances of separation or failure to support; (6) Employment of defendant and earnings; (7) Amount of public assistance; (8) Amount of support asked; (9) The complaint may contain any information to aid the locating or identification of a defendant including, but without limitation, by enumeration, a photograph of the defendant, a description of any distinguishing marks of his person, other names and aliases by which he has been or is known, his financial status, fingerprints and Social Security number, and any order of support in any other court.

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APPROVED—The 14th day of August, A. D. 1963.

WILLIAM W. SCRANTON

* “promoun” in original.