

are considered a part of the school district or districts in which they are situate and the children residing on such installations shall be counted as resident pupils of the school district. When a resident of any school district keeps in his home a child of school age, not his own, supporting the child gratis as if it were his own, such child shall be entitled to all free school privileges accorded to resident school children of the district, including the right to attend the public high school maintained in such district or in other districts in the same manner as though such child were in fact a resident school child of the district, and shall be subject to all the requirements placed upon resident school children of the district. Before accepting such child as a pupil, the board of school directors of the district may require such resident to file with the secretary of the board a sworn statement that he is a resident of the district, that he is supporting the child gratis, that he will assume all personal obligations for the child relative to school requirements, and that he intends to so keep and support the child continuously and not merely through the school term.

Section 2. This act shall take effect immediately.

APPROVED—The 14th day of December, A. D. 1967.

RAYMOND P. SHAFER

No. 382

AN ACT

HB 1511

Amending the act of May 15, 1945 (P. L. 547), entitled, as amended, "An act relating to soil conservation and soil erosion, and land use practices contributing to soil wastage and soil erosion; providing for the organization of the various counties into soil and water conservation districts; the appointment of their officers and employes; and prescribing their powers and duties; creating the State Soil and Water Conservation Commission in the Department of Agriculture and fixing its powers and duties relative to the enforcement of this act; providing financial assistance to such soil and water conservation districts; and authorizing county commissioners to make appropriations thereto; providing for disposition and operation of existing districts; and repealing existing laws," further providing for the composition of the commission and their term of office and further providing for the designation of district directors.

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

Section 1. Section 3, act of May 15, 1945 (P. L. 547), known as the "Soil Conservation Law," is amended by adding at the end thereof a new clause to read:

Section 3. Definitions.—Wherever used or referred to in this act

unless a different meaning clearly appears from the context:

* * *

(j) "Cooperating organization" is any organization approved by the commission to assist in carrying out the provisions of this act.

Section 2. Subsection (1) of section 4 of the act, amended August 1, 1963 (P. L. 445) and August 8, 1963 (P. L. 598), is amended to read:

Section 4. State Soil and Water Conservation Commission.—(1) There is hereby created in the Department of Agriculture the State Soil and Water Conservation Commission, which shall be a departmental administrative commission with all the powers and duties generally vested in, and imposed upon, such commissions by the Administrative Code of one thousand nine hundred twenty-nine and its amendments. The commission shall consist of the Secretary of Agriculture, who shall be the chairman, the Secretary of Forests and Waters, the Dean of the College of Agriculture of The Pennsylvania State University, and [three] four farmer members, who shall be farmers, to be appointed by the Governor from a list of [six] eight nominees submitted by the association known as "Pennsylvania State Council of Farm Organizations." Two urban members of the commission shall also be appointed to the commission by the Governor.

In the event, however, that said association shall fail to make and submit to the Governor, nominations to fill vacancies, the Governor may appoint any citizens of Pennsylvania to fill such vacancies. The State Conservationist of the Soil Conservation Service, United States Department of Agriculture and the Director of Agriculture and Home Economics Extension of The Pennsylvania State University shall be associate, non-voting members of the commission. The commission shall keep a record of its official actions, and may perform such acts and promulgate such rules and regulations as may be necessary, and employ such personnel as needed for the execution of its function under this act. A majority of the voting members shall constitute a quorum and all decisions of the commission shall require a concurrence of the voting members of the commission.

* * *

Section 3. Subsection (3), clauses (c), (d) and (f) of subsection (4), and subsection (5) of section 4, and subsection (1) of section 5 of the act, amended August 8, 1963 (P. L. 598), are amended to read:

Section 4. State Soil and Water Conservation Commission.—

* * *

(3) The farmer and urban members of the commission shall be

appointed for a period of [two] four years and shall hold office until their successors have been appointed and have qualified. The four farmer members' terms shall be so staggered that one member's term shall expire each year while the two urban members' terms shall be so staggered that one member's term shall expire every second year.

At the expiration of their terms of office, or in the event of vacancies through death, ¹ resignation or otherwise, new farmer or urban members shall be appointed in the manner set forth in paragraph one of this section. A majority of the commission shall constitute a quorum and all decisions shall require the concurrence of a majority of the commission. All members of the commission shall be entitled to their actual and necessary expenses including traveling expenses incurred in the discharge of their duties. The commission shall provide for the execution of surety bonds for all employes and officers who shall be entrusted with funds or property of the commission and shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions, regulations and orders issued or adopted.

(4) In addition to the duties and powers herein conferred upon the commission, it shall have the following duties and powers:

* * *

(c) To approve and coordinate the programs of the several soil and water conservation districts or projects; to apportion among the several districts or to any agency of the Commonwealth, the United States or cooperating organizations any funds allotted from State or Federal sources; and to be responsible for the expenditures of such funds by the districts;

(d) To secure the cooperation and assistance of any governmental agency and to be the agency through which government aid in [erosion control] land and water management and conservation of related resources can be extended to private lands. [This provision shall not apply to educational projects];

* * *

(f) To accept contributions of money, services or materials to carry on [erosion control work] land and water management and conservation of related resources under the provisions of this act;

* * *

(5) The commission shall have the power to receive such funds as appropriated, given, granted or donated to it, or to the program provided for in this act by the Federal Government, the Common-

¹ "registration" in original.

wealth or any other governmental or private agency or person, and shall use such funds for the carrying out of the provisions of this act. The commission may allocate such funds, or parts thereof, to the soil and water conservation districts or to any agency of this Commonwealth, the United States, or cooperating organization. Funds so allocated shall be apportioned in an equitable and just manner at the discretion of the commission, but the decision of the commission shall be final.

Section 5. Creation of Soil and Water Conservation Districts.—(1) When the board of county commissioners of any county shall determine, in the manner hereinafter provided, that conservation of soil and water resources and control and prevention of soil erosion are problems of public concern in the county, and that a substantial proportion of the rural land owners of the county favor such a resolution, it shall be lawful for the said board of county commissioners, by a resolution adopted at any regular or special meeting of the board, to declare the county to be a soil and water conservation district, for the purpose of effectuating the legislative policy announced in section two. These determinations may be made through petitions, hearings, referenda or by any other means which the board of county commissioners deems appropriate.

* * *

Section 4. Section 6 of the act, amended July 25, 1963 (P. L. 316) and August 8, 1963 (P. L. 598), is amended to read:

Section 6. Designation of District Directors.—When a county has been declared a soil and water conservation district, a board of directors, consisting of [five] seven members, shall be appointed by the board of county commissioners. This board of directors shall consist of one member of the board of county commissioners, [and] four practical farmers and two urban directors; the farmer and urban members to be appointed shall be selected from a list containing at least double the number of [farmer] directors to be appointed, and such list is to be submitted by [a body consisting of the president and secretary or two official delegates from] each of the county-wide organizations designated by the State Soil and Water Conservation Commission. Upon receipt of notice from the State Soil and Water Conservation Commission of the organizations to be entitled to make such nominations, and having secured nomination lists, the board of county commissioners shall [call a meeting of the official delegates and conduct the election of] appoint the proper number of [nominees. In the event a district is created or is operating in an urbanizing area as defined by the State Soil Conservation Commission, the commission may provide for one non-farmer director to serve on the board of directors in place of one farmer director. Such non-farmer director shall be appointed by the county commissioners as in the case of the farmer] directors.

Section 5. Section 7 of the act, amended July 25, 1963 (P. L. 316), August 1, 1963 (P. L. 445), and August 8, 1963 (P. L. 598), is amended to read:

Section 7. Appointment; Qualifications; Compensation; and Tenure of Directors.—The director appointed from the board of county commissioners shall be appointed annually by the board of county commissioners. The first four farmer directors appointed, other than the director appointed from the board of county commissioners and the urban directors, shall be designated to serve for terms of one, two, three and four years, respectively. The first two urban directors appointed shall be designated to serve for terms of two and four years, respectively. Thereafter each director shall serve for four years.

A director shall hold office until his successor has been appointed and has qualified. Vacancies shall be filled for the unexpired terms. Successors to fill unexpired terms or for full terms shall be appointed by the county commissioners from a list containing at least double the number of directors to be appointed, such list to be composed of nominations submitted in writing by a qualified officer of each of the organizations designated by the State Soil and Water Conservation Commission. [Approved organizations may, at their option, send official delegates to present personally their nominations for inclusion on the list. In either case, the] The final list of nominations shall be placed on file by the county commissioners and shall be open to public inspection. In filling unexpired terms, the county commissioners may make appointments from any list prepared in the above manner that has been compiled within the twelve months preceding such appointments.

The director appointed from the board of county commissioners shall receive no additional compensation but shall receive traveling expenses as allowed as a member of the board of county commissioners. The other members of the board of directors shall serve without pay, but may be reimbursed for traveling expenses incurred while engaged in the performance of their official duties, provided funds are made available by the board of county commissioners or by the State Soil and Water Conservation Commission for such purpose, and under such terms and conditions as the county board or the commission, whichever has provided the funds, shall determine.

APPROVED—The 19th day of December, A. D. 1967.

RAYMOND P. SHAFER