

GENERAL REPORT
OF THE
JOINT STATE GOVERNMENT COMMISSION
1953-1955



JOINT STATE GOVERNMENT COMMISSION
ROOM 450, CAPITOL BUILDING
HARRISBURG, PENNSYLVANIA

The Joint State Government Commission was created by Act of 1937, July 1, P. L. 2460, as amended 1939, June 26, P. L. 1084; 1943, March 8, P. L. 13, as a continuing agency for the development of facts and recommendations on all phases of government for the use of the General Assembly.

LETTER OF TRANSMITTAL

*To the Members of the General Assembly of the
Commonwealth of Pennsylvania:*

There is submitted herewith the General Report of the Joint State Government Commission. The report presents summaries of the Commission's work for the 1955 Session.

The General Report is divided into four parts. Part I covers the studies undertaken in conjunction with the continuing study of the public schools of the Commonwealth directed by House Concurrent Resolution No. 79, Session of 1953. Part II deals with interim studies. In each case, where findings of fact eventuated in Commission recommendations, the proposed policies are outlined. Part III presents a listing of the membership of Joint State Government Commission, the subcommittees concerned with the various studies, the persons who served in the capacity of advisors, and the administrative and technical staff of the Commission. For the convenience of the members of the General Assembly, a complete listing of the areas which the Commission has studied in past biennia and the publications related to the studies is presented in Part IV.

Specific Commission recommendations are embodied in bills drafted by the Legislative Reference Bureau. These drafts will be submitted for the review, consideration, and action of the General Assembly.

On behalf of the Commission, the cooperation of the subcommittees, the advisors, and the Legislative Reference Bureau is gratefully acknowledged.

The Commission stands ready to render such service as the General Assembly and its standing committees may direct.

BAKER ROYER, *Chairman*

*Joint State Government Commission
Capitol Building
Harrisburg, Pennsylvania
January, 1955*

TABLE OF CONTENTS

	<i>Page</i>
PART I. CONTINUING STUDY OF THE PUBLIC SCHOOLS	1
Public School Building Subsidies	1
School Health Services	3
School Administration	6
 PART II. INTERIM STUDIES	 9
Feasibility of Establishing a Medical School Exclusively for the Training of Residents of the Commonwealth	9
Practices of Commonwealth-owned and Commonwealth- aided Colleges and Universities Relating to Admission of, and Tuition Charges to, Nonresident Students	10
Highway Safety	13
Third-structure Taxes	17
Pennsylvania Mineral Deposits	21
Livestock Marketing	23
Pension and Other Employe Benefit Plans	25
Solicitation Act of 1925	27
Decedents' Estates Laws	30
 PART III. JOINT STATE GOVERNMENT COMMISSION	 31
Executive Committee	31
Continuing Study on Public Schools—Special Subcommittees	32
Subcommittees	33
Advisors	35
Administrative and Technical Staff	36
 PART IV. JOINT STATE GOVERNMENT COMMISSION REPORTS TO THE GENERAL ASSEMBLY, 1939-1953	 37

Part I

CONTINUING STUDY OF THE PUBLIC SCHOOLS

House Concurrent Resolution No. 79, Session of 1953, directs the Joint State Government Commission to "make a continuing study of the public schools of this Commonwealth" and to report the findings of its continuing study to the General Assembly from time to time.

Under this directive, the Commission, during the biennium 1953-55, focused its attention upon public school building subsidies, school health services, and school administration.

PUBLIC SCHOOL BUILDING SUBSIDIES

Investigation:

Ascertained the statutory provisions relating to Commonwealth subsidies on account of school buildings constructed by the State Public School Building Authority, municipality authorities, and other non-profit corporations. Investigated the financing of, and per-pupil construction costs of, all authority-financed school buildings.

Strategic Facts:

1. The Commonwealth has participated directly in capital-outlay expenditures of local school districts since 1949. Under the provisions of Act No. 557, Session of 1949 (P. L. 1879), rentals paid by a school district to the State Public School Building Authority were reimbursed in the amount of the annual rental multiplied by one-half the district's standard reimbursement fraction (without reference to the minimum value of the fraction used for current expense reimbursement).

In 1951, rental reimbursement was extended to school districts paying rentals to municipality authorities or other nonprofit corporations (1951, [January 21, 1952], P. L. 2195). By the same act, the cal-

culuation of the amount of the rental subsidy was changed as follows:

a. If the standard reimbursement fraction of the school district is equal to, or less than, .5999, the amount of the rental reimbursement is determined by multiplying the annual rental by one-half the standard reimbursement fraction.

b. If the standard reimbursement fraction of the school district is equal to, or greater than, .6000, the amount of the rental reimbursement is determined by multiplying the annual rental by the standard reimbursement fraction multiplied by itself.

Act No. 431, Session of 1953 (P. L. 1471), provides in part:

The Superintendent of Public Instruction shall not give his approval to any phase of any project or any project to be undertaken by the State Public School Building Authority or by any municipality authority or nonprofit corporation that would cause the approved reimbursable projects for such purposes to exceed four hundred and twenty-five million dollars (\$425,000,000) in the aggregate for all the authorities combined for projects already undertaken and to be undertaken.

Prior to 1953, there was no statutory definition of the cost items upon which rental reimbursement was to be based. In general, reimbursement was based upon all expenditures relating to the school building, including cost of equipment. Act. No. 431, Session of 1953, defined the cost items upon which rental reimbursement was to be based subsequent to the effective date of the act (August 26, 1953) as that portion of the annual rental charge "sufficient during the period of the lease to pay the cost of acquiring or constructing the school buildings, the cost of acquiring the land upon which the school buildings are situate, and the interest on such cost. . . ."

2. Approvals of reimbursable projects by the Department of Public Instruction reached the maximum of \$425,000,000 in October, 1953. Of the aggregate amount of \$425,000,000—whether for projects already constructed, under construction, or planned for construction—approximately \$310,000,000 is attributable to municipality authority projects and \$115,000,000 to projects of the State Public School Building Authority. As of November, 1954, the total estimated cost of projects submitted to the department for approval since the \$425,000,000 limitation was reached amounted to approximately \$120,000,000.

Reimbursable project construction cost is necessarily smaller than the amount on which the Commonwealth subsidy is paid, which is the total of approved construction costs plus interest costs. For example, assuming that money is worth 3 percent and that all projects are amortized over a period of 30 years, the total amount on which the Commonwealth would reimburse over time would be 1.53 times the project construction cost.

Under existing statutory provisions, the amount of Commonwealth reimbursement on account of an annual rental of a given amount will increase with increases in the equalization level. Under existing statutes, the equalization level, which was \$4,500 for the school year 1953-54, will increase by \$200 annually until it reaches \$5,500 for the school year 1958-59 and thereafter.

Construction cost data for buildings constructed by authorities from 1949 to 1954 are available for 220 new elementary school buildings and 105 new secondary school buildings. To permit comparison of costs incurred at different points in time, the actual construction cost per pupil for each project was adjusted to a 1954 price basis.

a. Elementary schools.—On the basis of 1954 prices, construction cost per pupil for the authority-financed elementary buildings ranged from \$474 to \$2,166. The most frequently occurring value was about \$1,000.

b. Secondary schools.—On the basis of 1954 prices, construction cost per pupil for secondary buildings constructed by authorities ranged from \$750 to \$4,300. The most frequently occurring value was about \$1,550.

3. The Commonwealth currently pays approximately \$4,000,000 biennially on account of closed schools (some of which have been closed since 1911). Under present statutes, this amount will increase with each succeeding biennium.

Recommendations:

1. It is recommended that, in calculating the amount of reimbursement on account of school building rentals, reimbursement for construction cost be based upon a legislatively specified cost standard or upon actual cost, whichever is smaller. The standards should be defined in terms of cost per pupil—that is, total construction cost divided by the rated pupil capacity of the building. The following standards are recommended:

a. For new elementary schools—\$1,100 per pupil.

b. For new secondary schools—\$1,700 per pupil.

c. For new combined elementary-secondary schools—a weighted average of the elementary and secondary standards, the weights being the rated elementary capacity and the rated secondary capacity of the combined building.

d. For additions or alterations to existing buildings, the standards listed above should be employed and the actual cost per pupil for comparison with the standard cost per pupil calculated as follows: Sum the insurance or appraisal value of the existing building, exclusive of the value of equipment, and the construction cost of the addition or alteration, and divide such sum by the rated pupil capacity of the altered or expanded school plant.

2. It is recommended that reimbursement for all the annual rentals of a particular project be calculated on the basis of a constant equalization level. Reimbursement on account of those projects for which a rental was paid to an authority during 1954-55 should be calculated on the basis of an equalization level of \$4,500. For projects for which the initial rental is paid subsequent to the school year

1954-55, the amount of rental reimbursement should be calculated on the basis of the equalization level applicable during the year in which the general construction contract is awarded, or \$4,500, whichever is greater.

3. It is recommended that the existing rental reimbursement formula be revised with a view to:

a. Removing the discontinuity at a standard reimbursement fraction of .6

b. Reducing the rental reimbursement percentage somewhat for those districts with a standard reimbursement fraction less than .5.

4. It is recommended that the Commonwealth inspect projects of local school building authorities during construction.

[**SEE SEPARATE REPORT:**
Public School Building Subsidies]

SCHOOL HEALTH SERVICES

Investigation:

Reviewed health services provided by the Commonwealth to children of school age. Ascertained the statutory basis of the school health program. Investigated the operation of the various phases of the school health program. Conferred with a panel of medical specialists appointed by the Commission concerning medical practices and procedures calculated to improve the health level of children of school age.

Strategic Facts and Findings:

1. The Commonwealth makes available a variety of child health services that include both diagnosis of ailments and their treatment. The most costly health program for children in the Commonwealth is the school health program, administered by the state departments of Health, Public Instruction, and Public Assistance and local school districts. Under the program, biennial medical and dental examina-

tions are made available to all pupils in public and private schools as well as to the employees of these institutions.

2. Load and cost of the school health program, school year 1952-53:

a. Medical examinations were given to 959,336 pupils enrolled in public and private schools.

b. Dental examinations were given to 922,984 pupils.

c. Commonwealth expenditures by category were as follows:

Department of Health	
Medical examinations	\$1,473,000
Dental examinations	629,500
School nursing service	2,034,500
State nurses	140,000
Laboratory, clerical, etc.	238,800
	\$4,515,800
Department of Public Assistance	
School medical assistance program \$	95,000

d. Local school district costs in connection with the services enumerated amounted to approximately \$3,000,000.

3. With respect to the effectiveness of the present school health program, the following shortcomings stand out:

a. The present program places undue emphasis on periodic, regularly scheduled medical examinations. The examinations do not provide an adequate or economic health inventory because:

(1). The periodicity of examination is too rigidly prescribed to take into account variations in health needs among children.

(2). Searching for defects of low correction value consumes a disproportionate fraction of the examination time.

(3). No use is made of such significant information as that provided by an appropriate medical history, attendance records, and records of development and scholastic achievement.

(4). Examination procedure does not permit the most economic division of labor among physicians, nurses, and technicians.

b. The program places undue emphasis upon diagnosis, and the level of corrections is low, partially due to inadequate follow-up.

c. The program calls for biennial dental examinations, though it is known that approximately nine out of every ten pupils have dental defects. Hence, the program involves the expenditure of funds to re-establish a known fact. Any educational purpose the dental examination program may serve could be achieved in a less costly manner.

4. The reporting system for the school health program lacks uniformity and internal consistency and fails to provide data necessary for computation of significant correction rates by defects. Such rates are essential to a thorough evaluation of the program.

5. The provisions of the School Code relating to biennial medical and dental examinations (Article

XIV, Sections 1401 to 1413, inclusive) and other provisions of the code relating to health (Sections 1421 to 1438, inclusive) have resulted in a school health program which is neither functionally nor administratively integrated. For example, the biennial medical and dental examinations are given under the supervision of the Department of Health, but the sight and hearing tests are under the administrative jurisdiction of the Department of Public Instruction.

Section 1422 of the School Code provides: "Medical examiners of the several school districts shall make sight and hearing tests of the pupils . . . *at least once in each school year.* [Emphasis supplied.] Such tests for hearing shall be made with audiometers approved and provided by the Department of Public Instruction. The Department of Public Instruction shall prescribe to . . . medical examiners . . . suitable rules of instructions as to the tests and examinations to be made . . ."

The evidence indicates that neither sight nor hearing tests are given with the frequency prescribed by law.

Recommendation:

It is recommended that the Commonwealth establish an integrated school health program under the administrative supervision of the Secretary of Health, with adequate supervisory personnel at the local level.

1. With respect to *pupils*, the health program should provide for a continuing health inventory of every school child.

Scheduled Health Appraisal.—A complete appraisal of the child's health should be made at three times—upon his entry into the school system and at about the time he attains age eleven and age fifteen. These scheduled health appraisals should be based upon information derived from:

- a. An appropriate health questionnaire
- b. A thorough physical examination
- c. Specified tests and measurements
- d. Attendance and achievement records.

Tests and Measurements.—The following tests and measurements should be given each child at the stated intervals:

- a. A vision test, given annually by a nurse, technician, or teacher
- b. A hearing test, employing an audiometer, given at least once every two years by a nurse, technician, or teacher
- c. Measurement of height and weight at least once annually by either a nurse or a teacher
- d. A chest X-ray, given by a medical technician, at approximately age fourteen.

The results of these tests and measurements should be available to the examining physician at the time of the scheduled physical examination.

Interim Health Appraisal.—Provision should be made for interim health appraisal in the periods between regularly scheduled health appraisals, consisting of the above enumerated tests and measurements; nurse or teacher observation of the child's physical and mental condition, attendance, and achievement records; and, when warranted, special physical examination and associated laboratory tests, which may be authorized by the nurse or physician.

Dental Examination.—A dental examination should be given to the child upon entrance into the school system, provided he has not had a dental inspection within the previous four months.

Private Examinations.—Any medical or dental examination, given by a licensed practitioner, made within a period of four months prior to the date of the regularly offered school examination, reported on authorized forms, and paid for at private expense, should be admissible in place of the school examination.

Parental Responsibility.—Parents should be urged to be present at the physical examinations and encouraged to inform school authorities within a reasonable period of time as to the steps, if any, taken to correct any defect found in the course of the medical examination.

2. With respect to *school personnel*, the health program should provide for:

- a. A comprehensive pre-employment examination
- b. Biennial chest X-rays provided by the school district.

3. With respect to *health personnel*:

- a. It should be made mandatory upon *all* school districts to employ—singly or jointly with other districts—school nurses.

- b. Medical examiners should be compensated on the basis of time spent in performing health duties.

- c. Medical examiners should be relieved of their duties with regard to sanitary inspection, which should be performed by qualified sanitarians.

4. With respect to *financing*:

- a. The current arrangement between the Commonwealth and school districts for financing nursing service should be retained.

- b. Commonwealth reimbursement with respect to costs incurred in furnishing other services under the program should be made available to local districts on a per-pupil (in average daily membership) basis.

5. With respect to *records and forms*: To facilitate constant re-evaluation of the entire health program, all records and forms should provide for:

- a. Clearly defined, unambiguous terms
- b. A consistent defect classification on all forms used

- c. A defect classification which segregates defects according to degree of severity

- d. Paired defects and corrections for identical groups and specified time periods.

- e. A means of distinguishing between

- (1). Newly discovered defects and those present in a prior examination

- (2). Corrections which follow treatment and those which occur without treatment.

- f. A means of recording noncorrections due to removal of the child from the school system and disagreement between family physician and school physician.

[SEE SEPARATE REPORT: *School Health Services*]

SCHOOL ADMINISTRATION

Investigation:

Reviewed the statutory provisions relating to administration of the public schools of the Commonwealth. Reviewed proposals for reorganization of school administration on the county level. Conferred with representatives of the Department of Public Instruction, the Pennsylvania State School Directors' Association, the Pennsylvania State Education Association, and organizations of school administrators regarding the adequacy of, and proposals for modifying, the existing administrative organization.

Strategic Facts:

1. The public schools of the Commonwealth are administered by local school boards, the county superintendents' offices, and the state Department of Public Instruction. All fourth class school districts are under the county superintendent, with immediate supervision by a supervising principal. A third class district may elect to choose a district superintendent or may remain under the county superintendent with immediate supervision by an associate superintendent or supervising principal. Under the law, all first and second class districts are administered by district superintendents.

The number of assistant county superintendents in any county office is determined by the number of teachers in districts operating under the county superintendent. County superintendents and members of their professional staffs, as well as district superintendents and associate and assistant district superintendents, are appointive officers who serve for specified terms; supervising principals are subject to the tenure provisions of the School Code.

The School Code specifies the minimum salaries of county superintendents and assistant county superintendents to be paid by the Commonwealth, but local boards may increase these salaries out of their own resources.

2. It would appear that with the rapid development of jointures which has taken place since 1945, many of the functions previously performed by the county superintendent are now performed by district superintendents, associate superintendents, and supervising principals. During the school year 1953-54, 63 percent of the school districts of the state were members of jointures; in some counties, practically all third and fourth class districts are members of joint organizations. However, in seven counties less than 30 percent of the third and fourth class districts are in jointures.

3. The present method of Commonwealth reimbursement for current expenses sometimes discourages the formation of jointures. If a district operates as a member of a jointure, it is reimbursed on the basis of the *legislatively stipulated* equalization level or maximum subsidy plus the supplementary payment on account of joint membership. For the school year 1952-53, reimbursement on account of elementary pupils attending a district's joint schools amounted to \$160 per pupil times the district's standard reimbursement fraction. The comparable amount for secondary pupils was \$218 times the district's standard reimbursement fraction. If, however, a district sends its pupils to the schools of another district or to a jointure of which it is not a member, it is reimbursed for the tuition cost incurred to the extent of 85 percent of the *actual* current expense cost of educating the pupils multiplied by the sending district's standard reimbursement fraction. If 85 percent of the actual tuition cost (exclusive of capital charges) exceeds the maximum subsidy plus supplemental payment per pupil, a district receives a larger Commonwealth reimbursement by sending its pupils to another district or jointure than it would receive if it were a *member* of a jointure. And, if total costs (current expense plus net capital expense) were the same under the two alternatives or greater under joint operation, the district's net financial position would be worse as a member of a

jointure. For 1952-53, a tuition cost (exclusive of capital charges) in excess of \$188 per elementary pupil and \$256 per secondary pupil made membership in a jointure (on the assumption of equal costs) financially disadvantageous.

In 1952-53, 90 school districts sent all their elementary pupils to other districts' schools; 548 districts, or 22 percent of the school districts in the Commonwealth, sent all their secondary pupils to schools in other districts. The distribution of the 548 districts and their secondary pupils by the tuition cost (exclusive of capital charges) which prevailed in 1952-53 is shown in the table below.

Examination of the table shows that for 184 districts tuition cost per pupil exceeded \$250—the approximate cost level above which joint secondary operation was likely to be financially disadvantageous in 1952-53. Needless to say, the relative financial ad-

vantage consequent upon alternative operational arrangements varies with changes in both costs and equalization level. However, it appears that, even with the increase in the maximum subsidy provided by statute, districts with relatively high tuition costs would not find it financially advantageous to become members of joint organizations.

4. As heretofore pointed out by the Commission, the records of the public schools of the Commonwealth do not produce significant program cost data. (See *Per-Pupil Cost of Vocational and General Education Programs in the Public Schools*, A Report of the Joint State Government Commission to the General Assembly of the Commonwealth of Pennsylvania [February, 1949].) Hence, the costs associated with alternative administrative organizations are not ascertainable.

<i>Tuition Cost per Secondary Pupil</i>	<i>Number of Districts</i>	<i>Number of Secondary Pupils</i>
(1)	(2)	(3)
\$150-\$174	8	434
175- 199	82	4,564
200- 224	122	7,516
225- 249	152	11,555
250- 274	91	8,851
275- 299	51	3,381
300- 324	25	2,133
325- 349	7	453
350- 374	4	460
375- 399	4	189
400- 450	2	195
Total	548	39,731

Recommendations:

It is recommended that:

1. The administrative structure of the public schools of the Commonwealth be limited to three levels: the local level, either the county or regional level, and the state level.

2. With the approval of the State Council of Education, the county superintendent be authorized to reorganize the county office with respect to personnel

so that essential educational and supervisory services will be furnished and the nonessential eliminated.

3. Tuition reimbursement be modified in order to remove the financial advantage which induces districts to prefer sending their pupils to schools operated by other districts to membership in a jointure.

4. The Department of Public Instruction prescribe records and forms calculated to produce adequate program cost data, including capital charges.

Part II

INTERIM STUDIES

Nine interim studies were undertaken by the Joint State Government Commission. Of these, eight were directed by House Concurrent Resolution No. 79, July 23, 1953, adopted and agreed to July 27, 1953; the ninth, Decedents' Estates Laws, was initiated by the Commission under authority granted by the Act of 1937, July 1, P. L. 2460, as amended 1939, June 26, P. L. 1084.

FEASIBILITY OF ESTABLISHING A MEDICAL SCHOOL EXCLUSIVELY FOR THE TRAINING OF RESIDENTS OF THE COMMONWEALTH

Legislative Mandate:

To study and investigate the feasibility of establishing a medical school exclusively for the training of residents of the Commonwealth.

Investigation:

Reviewed the nature and extent of existing training facilities for physicians in Pennsylvania and the costs and methods of financing these facilities. Ascertained: relationship between population and number of physicians in Pennsylvania and other states; geographic distribution of physicians in Pennsylvania; interstate migration of medical school graduates; tuition costs, admission requirements, applications, and enrollments in medical schools in Pennsylvania and other states; and state of residence at time of matriculation of students in Pennsylvania medical schools. Determined if establishment of an additional medical school in Pennsylvania could be expected to increase the number of physicians in the state.

Strategic Facts:

1. Among the factors influencing the number of physicians practicing in a given state are degree of urbanization, extent of hospital facilities, per-capita income, and extent of training facilities. While the relative importance of the various factors has not as

yet been established, available evidence strongly suggests that the extent of training facilities is not the governing factor. For example, in 1949, Pennsylvania, with six medical schools, and New Jersey, with no training facilities, had the same number of physicians per 100,000 population.

2. The interstate migration of medical school graduates is of considerable magnitude. For example, as of 1949, 47 percent of the 18,647 active graduates of Pennsylvania medical schools were practicing outside of Pennsylvania. However, 2,447 physicians trained outside of Pennsylvania were practicing within the Commonwealth, resulting in a net export of 6,393 physicians, or 34 percent of the active Pennsylvania-trained physicians. Of the 1940 graduates of Pennsylvania medical schools, 28 percent of those who were residents of Pennsylvania, as compared with 85 percent of those who were residents of other states at the time of matriculation, were practicing outside of Pennsylvania in 1950.

3. Of the 685 applicants admitted to Pennsylvania medical schools in 1953, 469, or 68 percent, were residents of Pennsylvania. On the basis of testimony of administrative officials of Pennsylvania medical schools, taken in conjunction with an evaluation of rejected applicants, it appears that the number of *qualified* Pennsylvanians who applied to Pennsylvania medical schools in 1953 and were rejected due to lack of facilities was less than ten.

4. The evidence strongly suggests that it is not economical to construct medical-training facilities for an anticipated load of less than approximately 200 students, or an enrollment of about 50 per year. This figure is at least five times the total number of qualified Pennsylvania applicants who were not accepted because of facility limitations at Pennsylvania medical schools in 1953. If the proposed new school exclusively for Pennsylvania residents operated with an annual admission quota of 50, more than 80 percent of the 50 would be students who otherwise would attend existing schools in Pennsylvania or in other states. The existing Pennsylvania schools, in order to continue operating at capacity, would have to admit a larger number of nonresident students. Judging from past experience, it is likely that only about 15 percent of such students would practice in Pennsylvania after graduation.

5. For the five Pennsylvania medical schools for which records were sufficiently extensive to develop cost figures, the average per-student cost (excluding the value of donated services) for all Pennsylvania students was \$3,106 in 1953-54. For these same five institutions, the average Commonwealth subsidy per Pennsylvania student was \$2,382.

Finding:

At this time, the establishment of a school of medicine exclusively for the training of Pennsylvania residents is not feasible.

Recommendations:

It is recommended that:

1. When additional facilities for medical education are required, such facilities be provided at existing medical schools.

2. Medical schools, as a condition to receiving Commonwealth aid, be required to (1) maintain their records in such fashion as to show, on a per-student basis, total training costs, expenses on current account, overhead costs, and value of donated services, and (2) submit to the appropriations committees of the General Assembly records showing total enrollment and enrollment of Pennsylvania residents.

3. Pennsylvania medical schools receiving Commonwealth aid establish differential tuition charges in favor of Pennsylvania residents.

4. The General Assembly direct a continuing study of medical education in Pennsylvania.

[SEPARATE REPORT
TO BE ISSUED]

**PRACTICES OF COMMONWEALTH-OWNED AND COMMONWEALTH-AIDED COLLEGES
AND UNIVERSITIES RELATING TO ADMISSION OF, AND TUITION
CHARGES TO, NONRESIDENT STUDENTS**

Legislative Mandate:

To study and investigate practices of Commonwealth-owned and Commonwealth-aided colleges and universities relating to admission of, and tuition charges to, nonresident students.

Investigation:

Conferred with representatives of Commonwealth-owned and Commonwealth-aided colleges and universities relative to admission practices and tuition charges to both resident and nonresident students

and reviewed reports made by these institutions to the Department of Public Instruction. Ascertained Commonwealth appropriations to both Commonwealth-owned and Commonwealth-aided institutions. In view of the fact that admission practices and tuition charges of Pennsylvania medical schools were covered by a separate study, they were not included in this investigation.

Strategic Facts:

1. The Commonwealth owns and operates fourteen teachers colleges and for the biennium 1953-55 granted financial aid to nine private institutions of higher learning.

2. For the biennium 1953-55, the General Assembly appropriated for "maintenance" in the state-owned and state-aided institutions the amounts shown below:

State teachers colleges	\$13,365,000
State-aided institutions	40,491,880

3. Except for the Temple University School of Dentistry and The Pennsylvania State University, state-owned and state-aided institutions report no differential restriction upon the admission of non-resident students.

At Temple University, in the School of Dentistry only, admission is restricted to residents of Pennsylvania and to residents of states which have no dental schools. The Pennsylvania State University, for each of its schools, imposes restrictions upon the admission of nonresident students by specifying that non-resident enrollment may not constitute more than 10 percent of total enrollment.

4. In addition to, or in lieu of, the residence restrictions referred to above, some Pennsylvania institutions impose a higher tuition charge upon non-

residents than upon Pennsylvania residents. The institutions which provide for differential tuition charges for resident and nonresident students are: The Pennsylvania State University, the state teachers colleges, Philadelphia Textile Institute, and the University of Pennsylvania School of Veterinary Medicine.

Specifically, The Pennsylvania State University charges a nonresident student twice the fee payable by a resident student. The state teachers colleges charge a resident student a *basic* fee of \$90 and non-residents a basic fee (referred to in the catalogs as a tuition charge) of \$240. The School of Veterinary Medicine at the University of Pennsylvania waives the \$600 tuition fee in the case of Pennsylvania residents. The Philadelphia Textile Institute makes a charge of \$450 for American citizens and a charge of \$550 for students who are other than American citizens.

5. The per-student costs of state-owned and state-aided institutions cannot be ascertained with any degree of exactitude because: (1) The institutions keep their accounts on a cash basis, which means that capital charges and value of donated services per student are not ascertainable; (2) many institutions both furnish instruction and engage in research but do not maintain records that facilitate allocation of either expenses on current account or capital costs to these two functions.

6. The table on the following page shows for state-owned and state-aided institutions as of 1952-53: (1) number of students, (2) percent of students who are Pennsylvania residents, (3) administration and instruction expense per student, (4) state appropriation per Pennsylvania resident student, and (5) state appropriation as percent of total receipts.

<i>School</i>	<i>Estimated Number of Students *</i>	<i>Percent of Students Who Are Pennsylvania Residents</i>	<i>Administra- tion and Instruction Expense per Student †</i>	<i>State Appro- priation per Pennsylvania Resident Student †</i>	<i>State Appro- priation as Percent of Total Receipts †</i>
(1)	(2)	(3)	(4)	(5)	(6)
State-owned teachers colleges	12,171	96.0%	\$385.89	\$496.41	56.4%
State-aided institutions:					
Lincoln University	347	42.7	670.69	1,118.24	29.2
Moore Institute of Art, Science and In- dustry	276	83.3	538.67	108.80	10.0
National Agricultural College	194	39.1	843.57	407.89	8.8
Pennsylvania State University	20,536	89.7	572.90	465.10	33.5
Philadelphia Museum School of Art	660	84.7	322.14	113.15	18.3
Philadelphia Textile Institute	344	36.3	646.35	506.00	16.8
Temple University	16,070	81.1	311.92	136.48	21.6
University of Pennsylvania	13,567	66.7	1,667.48	320.68	7.0
University of Pittsburgh	13,279	96.7	829.46	231.29	19.5

* In the case of institutions having other than full-time students, "estimated number of students" was calculated by use of coefficients furnished by the institutions concerned.

† As reported by the institutions to the Department of Public Instruction.

Recommendations:

It is recommended that:

1. State-owned teachers colleges be required to charge nonresident students fees which closely approximate the costs of the services furnished by these institutions.

2. State teachers colleges be directed, and state-aided institutions be requested, to keep adequate records; such records to reflect, by curricula, current cash expenses, charges on capital account, and value of donated services.

HIGHWAY SAFETY

Legislative Mandate:

To study and investigate highway safety and factors responsible for highway accidents.

Investigation:

Reviewed motor vehicle accident statistics, including fatality rates in the United States for the year 1953 and fatality, fatal accident, injury, injury accident, and property-damage accident rates in Pennsylvania over the past 25 years. Examined available data on sex and age of operators involved in motor vehicle accidents in Pennsylvania for the years 1929, 1934, 1939, and 1944 to 1953, inclusive. Studied the cost and extent of Pennsylvania public school driver-education program. Examined accident data for the first 60-miles-per-hour speed zone on rural Pennsylvania highways. Examined comparative accident statistics for the Pennsylvania Turnpike, 1951 through October, 1954. Investigated coordination of work among Commonwealth administrative agencies concerned with highway safety. Studied graduated penalties for traffic violations and point systems for suspension or revocation of operators' permits. Investigated current accident reporting practices and current accident-prevention programs. Investigated factors responsible for highway accidents.

Strategic Facts:

1. In Pennsylvania, the motor vehicle accident fatality rate during 1953 was 4.9 deaths per hundred *million* miles of vehicle travel (based on fatalities occurring *during* the year), the fifth lowest rate in the forty-eight states. The United States average rate was 7.0 deaths per hundred *million* miles of vehicle travel.

Taking into account all deaths attributable to 1953 motor vehicle accidents (whether death occurred during or subsequent to 1953), the motor vehicle

accident *fatality* rate for Pennsylvania was 5.1 deaths per hundred million miles of vehicle travel—the lowest Pennsylvania motor vehicle fatality rate for the years studied (1929 through 1953). The 1953 *fatal accident* rate was also the lowest for the years studied. However, the rate for all motor vehicle accidents and the rates for injury accidents, injuries, and property-damage accidents in 1953 were *not* the lowest observed for the years 1929 through 1953.

For the postwar years 1947 through 1953, each of the six rates showed relatively small variations.

2. The relative stability of accident rates (because of use of mileage factors which have steadily increased during the postwar years) obscures the general rise in numbers of motor vehicle accidents and the consequent cost of motor vehicle accidents to Pennsylvania.

A total of 129,791 accidents involving 237,448 drivers and vehicles occurred in Pennsylvania in 1953, the greatest annual numbers for the years studied (1929 through 1953). Also at all-time high levels for the year 1953 were property-damage accidents, injury accidents, and injuries. The number of fatal accidents in 1953, although exceeded in many years, was greater than the number in the postwar years of 1947 and 1950. Similarly, the number of traffic fatalities in 1953 was greater than the number recorded in certain other postwar years (1947, 1949, 1950, and 1951).

Costs of 1953 motor vehicle accidents in Pennsylvania (including damage to vehicles and property, medical expenses, wage losses, and insurance overhead cost—but not claims paid), estimated on the basis of National Safety Council data, were in excess of \$89,600,000.

3. Over the past 25 years, according to data compiled by Commonwealth highway safety agencies, the percentage of women drivers involved in Pennsylvania motor vehicle accidents has increased, and the percentage of drivers *25 years of age and over* involved in accidents has increased. However,

sex and age distributions of Pennsylvania motor vehicle operators as a group have, in all likelihood, also changed during that period. Similarly, differences undoubtedly exist in numbers of miles driven by operators in different sex and age groups. Reliable estimates of the distributions of all Pennsylvania drivers by sex, age, and miles driven are not currently made by Commonwealth highway safety agencies.

4. Teaching of safe driving of motor vehicles in the public schools is authorized by Act No. 475, Session of 1947 (1947, June 28, P. L. 1109, as amended).

Act No. 499, Session of 1951 (1951 [January 8, 1952], P. L. 1859), increased the motor vehicle learner's permit fee from \$2 to \$4 and provided that as much of the fee received for each permit as necessary, but not more than \$2, should be appropriated to the Department of Public Instruction for expenses in carrying out a standardized program of driver education and for making payments to school districts complying with the standardized program.

During the registration year 1952, the number of learners' permits issued was 401,269; during 1953, the number issued was 425,612. In other words, about \$800,000 in receipts for the year 1952 and about \$850,000 in receipts for the year 1953 were available for both administration of the driver-training program and subsidy payments to school districts having approved driver-training programs.

Commonwealth reimbursement to a given district is calculated by multiplying the amount of available funds by the ratio of average daily membership of

pupils over 15 years of age in the driver-training program in the given district to the total average daily membership of pupils over 15 years of age in driver-training courses in all school districts of the Commonwealth. However, under the statute, payments may not exceed the sum of \$10 for each such pupil per school year.

During the school year 1952-53, average daily membership in driver-education programs was 21,433, and Commonwealth reimbursement on account of driver-education programs for the school year 1952-53 amounted to \$214,330, a 37.3 percent increase from the 1951-52 reimbursement of \$156,090.

Reliable data for evaluation of this program in terms of estimated reductions in numbers of accidents are not currently available.

5. Under the provisions of Act No. 191, Session of 1953 (1953, July 27, P. L. 649), the Secretary of Highways may, after due investigation, establish on rural state highways speed zones with 60-miles-per-hour speed limits. Pursuant to the provisions of this act, as of January 10, 1954, an approximately 30-mile section of four-lane divided highway on U. S. Route 22, between Lower Paxton Township in Dauphin County and Bethel Borough in Berks County, was established as a 60-miles-per-hour speed zone.

Comparative data from accident investigation records of the Pennsylvania State Police for motor vehicle accidents occurring on this highway section, January 10 to July 31, 1953 (speed limit 50 miles per hour), and January 10 to July 31, 1954 (speed limit 60 miles per hour), follow.

	<i>January 10 to July 31, 1953 (50-miles-per-hour speed limit)</i>	<i>January 10 to July 31, 1954 (60-miles-per-hour speed limit)</i>
Total number of accidents	37	32
Number of fatal accidents	1	1
Number of injury accidents	16	11
Number of property-damage accidents	20	20
Number of persons killed	1	1
Number of persons injured	30	24

Although the number of accidents shown for 1954 is less than for 1953, insufficient data are available to indicate that this difference is statistically significant.

6. The numbers of fatal accidents and fatalities on the Pennsylvania Turnpike System were greater in 1953 than in 1952. The fatal accident rate and the fatality rate (both in terms of hundreds of millions of vehicle miles) also increased. Numbers of injury accidents, injuries, and property-damage accidents and rates for each of these decreased.

Turnpike data for the first ten months of 1954 show marked decreases when compared with the similar time period for 1953. Number of fatal accidents decreased from 58 (January through October, 1953) to 35 (January through October, 1954). For the same time period, fatalities decreased from 77 to 46, the fatal accident rate decreased from 5.6 to 3.4, and the fatality rate from 7.4 to 4.4 (all in terms of hundreds of millions of vehicle miles). Similarly, there were fewer injury accidents, injuries, and property-damage accidents. In the first ten months of 1953, there were 430 injury accidents with 894 persons injured. During the comparable 1954 time period, there were 383 injury accidents and 739 persons injured. Property-damage accidents decreased in number from 910 to 612. These decreases (taken in conjunction with relatively stable vehicle mileage) produced lower accident rates for the first ten months of 1954 than for the first ten months of 1953.

7. Current administrative practice in Pennsylvania does not include regular reporting by the Bureau of Highway Safety of the Department of Revenue to the Department of Highways of road defect statements contained in operators' accident reports.

8. Upon conviction of a driver for violation of motor vehicle statutes, a penalty (fine or imprisonment) for the violation is imposed, and driving privileges may be suspended or revoked. The severity of penalties in terms of fines or imprisonment generally varies with the gravity of the offense and, in certain states, varies with repetition of specific offenses.

Loss of driving privileges which, though not classified as a penalty, does in fact penalize offending drivers, may follow a single violation of motor vehicle statutes or may result after several violations. Point systems are used in some states to indicate to drivers the relative seriousness of traffic violations and to cumulate, for suspension or revocation purposes, different types of violations or repetitions of specific violations.

From study of state motor vehicle accident fatality rates, it appears that no direct relationship exists between graduation of penalties or point systems and motor vehicle accident fatality rates.

9. Motor vehicle accidents are caused by driver, vehicle, and road factors, singly or in combination. The importance of the driver factor in responsibility for Pennsylvania motor vehicle accidents is indicated by the following data for the year 1953:

Number of driver violations of the Vehicle Code at times of accidents as percentage of total number of accidents	92.5 percent
Number of identifiable vehicle defects at times of accidents as percentage of total number of accidents	3.9 percent
Number of road defects at places of accidents as percentage of total number of accidents	7.4 percent

Current traffic safety practice includes measures which deal with each of these three factors.

In Pennsylvania, periodic examinations of motor vehicle operators are not required, although semi-annual inspections of vehicles are. Applicants for drivers' licenses are required to pass oral and driving examinations and vision tests before they may be granted the privilege of operating motor vehicles in the Commonwealth. Operators' permits may be revoked or suspended for cause by the Secretary of Revenue. At the discretion of the Secretary, operators may be subject to re-examination. In certain of the public schools within the Commonwealth, driver

education courses are offered. In 1953, these last two programs—re-examination and high school driver education—affected but 0.8 percent of the 4,316,654 licensed Pennsylvania operators.

10. Increases in numbers of motor vehicle accidents have not been halted by increased numbers of suspensions or revocations of operators' permits:

Year	Number of Motor Vehicle Accidents	Number of Suspensions and Revocations of Operators' Permits
(1)	(2)	(3)
1950	116,139	32,950
1951	123,088	43,268
1952	126,820	51,652
1953	129,791	57,136

The effect of suspensions and revocations of operators' permits (or of arrests or other elements) on frequency of motor vehicle accidents cannot be ascertained on the basis of existing data.

11. In Pennsylvania at the present time, information concerning drivers involved in highway accidents and drivers of vehicles as a whole is *not adequate* for: (1) development of reliable motor vehicle accident rates for sex and age groups of Pennsylvania drivers; (2) identification of those driver factors which, alone or in combination with other factors, predispose certain operators or groups of operators toward accidents; and (3) evaluation of specific driver-training and examination programs that would be effective in preventing motor vehicle accidents.

a. With respect to development of reliable accident rates:

(1). The base for rate computations—precise information concerning numbers of drivers and miles driven, classified by sex, age, and driving experience—is not available.

(2). Accident report data are inadequate. Operators' reports are frequently inaccurate or

incomplete. Comparison of a sample of 100 operators' reports with accident investigation reports of the Pennsylvania State Police (at the present time, approximately 20 percent of all accidents occurring in the state are investigated by the Pennsylvania State Police) showed that all 100 contained discrepancies, 48 contained from 1 to 8 discrepancies, 46 contained from 9 to 16 discrepancies, and 6 more than 16 discrepancies.

Although drivers are required by statute to report all accidents involving property damage exceeding \$100, all accidents involving injuries, and all accidents involving parked vehicles, it is probable that there is frequent failure to report.

b. With respect to identification of driver factors: Only general descriptions of accidents are available from current reports. Descriptions of near-accidents might often be no different from reported descriptions of actual accidents. Available information *does not* include the degree or importance of physical and mental driver factors. Further, psycho-physical testing of drivers involved in accidents is not generally employed.

c. With respect to evaluation of training and examination programs:

(1). Valid comparisons of the efficiency of programs cannot be made in the absence of reliable accident rate data.

(2). Without identification of driver factors which predispose toward accidents, highway safety programs cannot be expected to produce optimal results.

12. Significant driver factors responsible for highway accidents are aptitude for vehicle operation (physical and mental factors) and acquired skills of vehicle operation (driver education and relevant driving experience factors).

Meaningful information on driver aptitude and skills includes:

a. Estimates of general levels of aptitudes and

skills and minimum levels required for safe motor vehicle operation.

b. Information concerning driving conditions (in terms of vehicle, road, traffic, and weather) for which specified levels of aptitudes and skills would be inadequate.

c. Evaluation of interrelations between driver factors and vehicle and road factors in accident situations and near-accident situations.

13. Meaningful rates for driver involvement in motor vehicle accidents would include the following:

a. Accident involvement rates, for identifiable sex and age groups, in terms of numbers of drivers and in terms of miles driven.

b. Accident involvement rates, in terms of years of driving experience. If valid driver characteristic data are collected, reliable accident rates can be established for all traffic accidents, fatal accidents, injury accidents, and property-damage accidents. Valid estimates of the distributions, by sex, age, annual miles of vehicle operation, and years of driving experience, are needed for all drivers and for drivers involved in accidents.

Recommendations:

It is recommended that:

1. The General Assembly authorize a complete and comprehensive survey dealing with safety upon highways in Pennsylvania, to include, but not be limited to:

a. Driver factors in conjunction with vehicle and highway factors

b. Driver aptitudes and acquired skills for motor vehicle operation

c. Re-examination of accident experience with respect to stopped school buses since enactment of Pennsylvania motor vehicle statutes dealing therewith.

2. Funds for this comprehensive highway safety study be appropriated from the Motor License Fund.

3. Provision be made for furnishing to each district and county highway superintendent information concerning accidents occurring in his district.

[SEPARATE REPORT
TO BE ISSUED]

THIRD-STRUCTURE TAXES

Legislative Mandate:

To study and investigate the operation of "third-structure taxes" as imposed by other states upon highway users, with particular emphasis upon weight-distance taxes.

Investigation:

Studied third-structure taxes and their importance in highway-user tax systems. Surveyed types of current state third-structure statutes, and compiled summarizations of state weight-distance tax statutes. Ascertained states in which weight-distance or distance tax statutes had been repealed and ascertained years of enactment of weight-distance levies currently in effect. Studied dollar magnitudes of

weight-distance tax revenues and relative contribution of weight-distance revenues to total receipts from all highway-user levies. Compiled and analyzed information on costs of collection of weight-distance taxes. Studied administrative regulations dealing with charges to vehicle operators for auditing records for tax purposes. Investigated the effect of enactment of weight-distance tax statutes on numbers of motor truck registrations. Studied weight-distance tax payments and total highway-user tax payments in selected states for selected commercial vehicles. Reviewed compliance costs imposed by weight-distance tax statutes on operators of commercial vehicles. Investigated provisions of reciprocity agreements between Pennsylvania and each of the other forty-seven states with respect to third-structure

taxes and commercial motor vehicle registration. Ascertained current status of third-structure levy reciprocity among states having weight-distance taxes. Studied decision of Supreme Court of the United States: *Latham Castle, Attorney General of the State of Illinois, et al., Petitioners, v. Hayes Freight Lines, Inc.*, U.S. Supreme Court No. 44.—October Term, 1954, argued November 17, 1954, decided December 6, 1954, 75 S. Ct. 191.

Strategic Facts:

1. The term, "third-structure tax," is generally used to indicate a tax (but not a certificate or permit fee) on vehicles operated for hire or compensation or on large commercial vehicles generally. Registration fees and fuels taxes are usually termed the first two "structures" of highway-user tax systems.

The first motor vehicle registration statute was enacted in New York in 1901, and motor fuel was first taxed by Oregon in 1919. Of state weight-distance tax statutes currently in effect, the South Carolina third-structure levy was enacted earliest—in the year 1925.

2. Third-structure taxes (as distinct from public utilities commissions' fees or other certificate, permit, or trip fees, regardless of basis of charge) are levied in twenty-six states and the District of Columbia.

Among types of third-structure taxes are:

a. Special gross receipts taxes on motor carriers, levied by nine states (including Pennsylvania)

b. Flat-rate taxes (based on weight or capacity of vehicle or type of business), levied by two states and the District of Columbia

c. Weight-distance taxes (generally, those based on mileage and weight or number of axles, or those combining mileage, weight, and flat-rate fees), levied by fifteen states.

3. States utilizing weight-distance taxes and the base or combination of bases used are:

Alabama, Ohio Axles and mileage

Kansas, Michigan, New

York Gross weight and mileage

Colorado, Florida, New

Mexico, Wyoming . . . Net weight or unladen weight and mileage

North Dakota, South

Carolina Optional: net weight or unladen weight and mileage or flat fee

Illinois, Oregon, South

Dakota Optional: gross weight and mileage or flat fee

Idaho Combination gross weight and mileage and flat fee

Among states which utilized weight-distance (ton-mile) taxes but which have repealed them are Iowa, Maryland, Utah, West Virginia, and Wisconsin. Among states which utilized distance (mileage) levies but which repealed them are Georgia, Kentucky, Mississippi, Oklahoma, and Tennessee.

Of the fifteen weight-distance tax statutes currently in effect, that of South Carolina was enacted earliest—in the year 1925. The Florida statute was enacted in 1929; statutes of Colorado and Kansas, in 1931; those of Michigan, New Mexico, North Dakota, and Oregon, in 1933; Illinois and Wyoming, in 1935; South Dakota, in 1939; and Alabama, in 1940. Weight-distance taxes enacted during the postwar period include those of Idaho and New York in 1951 and that of Ohio in 1953.

4. Revenues from third-structure taxes do *not* constitute major portions of total receipts from highway-user levies. During the year 1953, fourteen states (the Ohio tax did not become fully effective until 1954) had weight-distance taxes. Weight-distance taxes accounted for less than 5 percent of total highway-user levies in seven of these states, 5 to 10 percent in four states, and 10 to 20 percent in three states. In the only one of the Middle Atlantic states having a weight-distance tax—New York—receipts from weight-distance taxes accounted for 5.5 percent

of total highway-user revenues for the year 1953.

5. Costs of collection as a percent of weight-distance tax revenues, as reported to Joint State Government Commission by weight-distance tax states, varied from 2.1 percent in Ohio to 23.2 percent in Michigan.

Variation of percents of costs of collection among third-structure tax states are as follows:

<i>State</i>	<i>Year of Latest Available Data</i>	<i>Total Weight-distance Tax Revenues</i>	<i>Cost of Collection as Percent of Total Revenues</i>	<i>Items not Included in Cost of Collection</i>
(1)	(2)	(3)	(4)	(5)
Alabama	1953-54	\$1,192,800	6.2%	*
Colorado	1954	2,950,000	10.1	*
Florida	1953-54	632,863	†	†
Idaho	9 months of 1954	77,180	†	†
Illinois	10 months of 1954	1,985,000	†	†
Kansas	1953-54	3,336,377	8.6	Enforcement
Michigan	1953-54	1,191,136	23.2
New Mexico	1953-54	447,414	17.2
New York	1953-54	12,163,751	10.3	Enforcement
North Dakota	10 months of 1954	185,832	†	†
Ohio	1954	13,100,000	2.1	Enforcement, issuance of permits
Oregon	1953	10,275,607	4.4	Enforcement
South Carolina	1953-54	689,121	20.9
South Dakota	1953-54	157,287	9.5	Enforcement, issuance of permits
Wyoming	11 months of 1954	2,138,558	9.1

* Information on cost items included or excluded not available.

† Data not available.

6. Charges for auditing records of out-of-state carriers are frequently made by weight-distance tax states. These charges generally include travel expenses and subsistence allowances of auditors; subsistence allowances are usually about \$9 per day. Among states making these charges are Colorado, Idaho, New York, and Michigan.

7. Indexes (average 1935-39 registrations=100) of private and commercial motor truck registrations in the United States and in fifteen states having weight-distance taxes, 1920 through 1953, indicate that, prior to World War II, enactment of third-structure taxes generally had little effect on truck registrations. An exception to this rule may be observed for Florida, where subsequent to the enact-

ment of the weight-distance tax the index of motor truck registrations dropped from 86 in 1929 to 79 in 1930, a decline of 8.1 percent; the index for the United States for these years rose from 83 to 86, or 3.6 percent.

For the postwar years, it appears that enactment of third-structure taxes has directly or indirectly af-

fectured truck registrations. For example, subsequent to enactment in 1951 of a weight-distance tax, the New York index of truck registrations dropped from 140 to 138, a decrease of 1.4 percent, whereas the index for the United States rose from 210 to 215, an increase of 2.4 percent.

Revision of tax rate structure may also affect registrations. In Oregon, at the time of revision of its weight-distance tax statute (1951), the index of motor truck registrations dropped from 234 to 129, a decrease of 44.9 percent, while the index for the United States rose from 201 to 210, an increase of 4.5 percent.

8. Although in no state did weight-distance taxes exceed 20 percent of total receipts from highway users, in certain states weight-distance taxes constitute sizeable portions of tax payments on individual vehicles. For example, for a selected 40,000-pound truck-tractor semitrailer combination vehicle operating as an intrastate contract carrier, third-structure taxes are estimated to be 51.7 percent of total fee and tax payments on such a vehicle in New Mexico, 46.7 percent in Colorado, and 42.6 percent in New York.

Weight-distance tax statutes may generate indirect costs for the vehicle operator because of losses of registration plate reciprocity. In the event that vehicle mileage and weight records are not maintained (such records are generally required for operation in intrastate or interstate commerce), direct weight-distance tax compliance costs are generated.

9. Reciprocity agreements between Pennsylvania and other states, as of November 15, 1954, deal with motor vehicle registrations and third-structure taxes. As of that date, Pennsylvania had no vehicle-weight reciprocity agreements.

Pennsylvania extends reciprocity with respect to its third structure gross receipts tax to all but 16 of the 48 states. These 16 states include (among the weight-distance tax states) Idaho, Illinois, Kansas, New York, North Dakota, Oregon, South Carolina, and South Dakota. None of these states exempts Pennsylvania vehicles from its weight-distance taxes. Of the 31 states to which Pennsylvania *does* extend gross receipts tax reciprocity, 7 levy weight-distance

taxes. In four of them (Colorado, New Mexico, Ohio, and Wyoming), Pennsylvania vehicles are required to pay weight-distance taxes, while in Alabama, Florida, and Michigan, according to available records, they are not.

Full reciprocity agreements covering registration of property-carrying vehicles are in effect with 38 states and the District of Columbia. No registration reciprocity exists between Pennsylvania and the following states: Arizona, Idaho, Nevada, North Dakota, Oklahoma, Oregon, South Carolina, South Dakota, and Utah. (South Carolina has a unilateral arrangement which permits out-of-state carriers to make one round trip per week per vehicle without requiring that the vehicle be registered in that state.)

Reciprocity provisions relating to registration of passenger carriers generally parallel those relating to property-carrying vehicles. Analysis of Pennsylvania agreements currently in force indicate the following differences:

a. Reciprocity agreements do not extend to common carriers of passengers for the states of Mississippi, New Mexico, Tennessee, and West Virginia.

b. Reciprocity agreements do not extend to contract carriers of passengers for the states of Mississippi and Tennessee.

10. Of the fifteen states having weight-distance taxes, seven (Colorado, New Mexico, New York, North Dakota, Ohio, Oregon, and Wyoming) do not have reciprocal agreements exempting from their weight-distance taxes the vehicles of other states having such levies. However, North Dakota vehicles are not subject to the third-structure taxes of Michigan or South Dakota, Ohio vehicles are not subject to the Michigan levy, and certain Oregon and Wyoming vehicles are not subject to the Idaho tax.

Reports to Joint State Government Commission indicate that the following weight-distance tax reciprocity agreements are currently in effect among the other eight of the fifteen states having such levies:

Alabama—agreements with Florida, Illinois, Michigan, and South Carolina

Florida—agreements with Alabama, Illinois, Michigan, and South Carolina

Idaho—no reciprocal agreements; limited tax exemptions granted to vehicles from Oregon and Wyoming

Illinois — agreements with Alabama, Florida, Michigan, and South Dakota; limited exemptions granted vehicles from Kansas

Kansas—no reciprocal agreements; limited tax exemptions granted vehicles from Alabama and Illinois

Michigan—agreements with Alabama, Florida, Illinois, and South Carolina; tax exemptions granted vehicles from North Dakota and Ohio

South Carolina—agreements with Alabama, Florida, and Michigan

South Dakota—agreement with Illinois; tax exemptions granted to North Dakota vehicles.

11. The United States Supreme Court, in its decision of December 6, 1954, in the case of *Latham Castle, Attorney General of the State of Illinois, et al., Petitioners, v. Hayes Freight Lines, Inc.*, affirming the Supreme Court of Illinois, held that the right of defendant carriers to use the Illinois highways for interstate transportation of goods could not be suspended by the state under a state law which limits the weight of freight carried in commercial trucks over its highways, provides for balanced distribution of freight loads in relation to the truck axles, and makes repeated violations of these provisions by trucks of the carrier punishable by total suspension of the carrier's rights to use the state's highways for periods from ninety days to one year.

PENNSYLVANIA MINERAL DEPOSITS

Legislative Mandate:

To study and investigate available information relating to mineral deposits within the Commonwealth.

Investigation:

Examined the historical trend of mineral production in the Commonwealth, the current status of production, value of production, number of employes, and wages in the mineral industries, and estimates of recoverable mineral reserves. Met with a panel of specialists from the United States Department of the Interior and three Pennsylvania universities who pointed out possible means and ways of bringing about optimum utilization of the Commonwealth's mineral resources. Met with labor and management representatives and reviewed the measures which might be taken to improve the position of Pennsylvania's mineral industries.

Strategic Facts:

1. In 1952, the latest year for which comprehensive statistics are available, Pennsylvania's total min-

eral production was valued at \$1,146,000,000. During the same year, the value of fuels produced—coal (bituminous and anthracite), petroleum, and natural gas—amounted to \$930,000,000, which represents 81 percent of the value of all mineral production within Pennsylvania. Again in 1952, fuels accounted for approximately 92 percent of both the number of employes in the mineral industries and the total wages paid by these industries.

2. Between 1943 and 1953, total production of *bituminous* coal in Pennsylvania decreased from 139,801,000 to 91,938,000 tons, a decrease of 34.2 percent. Over the same period, the total number of employes in the bituminous industry decreased from 105,900 to 69,100, a decrease of 34.8 percent. The decreases in production and employment reflect primarily decreases in commercial production, which declined 45.6 percent; captive production decreased but 2.8 percent.

3. *Anthracite*, like bituminous, production has been contracting. Between 1943 and 1953, production of anthracite coal declined 50 percent. The decline continued during 1954. Employment in the

anthracite coal industry fell from 79,369 in 1943 to 56,952 in 1953, a decrease of 28.3 percent.

4. Petroleum and natural gas tend to occur together. In Pennsylvania, Pennsylvania Grade Crude oil production at current levels is made possible by so-called "secondary" recovery methods, in which the crude petroleum is forced to the surface by injecting water or gas under pressure into selected parts of the fields. In 1953, 10,669,000 barrels of Pennsylvania Grade Crude were produced within the Commonwealth.

5. Total known oil reserves in Pennsylvania recoverable by present methods are estimated at about 111,000,000 barrels. In other words, unless new recovery techniques are developed, the life expectancy of the oil fields in Pennsylvania is about one decade. This differs markedly from the life expectancy of Pennsylvania coal: Bituminous coal, on the basis of an annual production of 92,000,000 tons, has a life expectancy of more than 300 years, and anthracite, on the basis of an annual production of 30,000,000 tons, has an expectancy of about 200 years.

6. In the aggregate, minerals other than fuels accounted for 19 percent of the total value of Pennsylvania mineral production in 1952. The principal minerals of this group and their percentage contributions to the total value of Pennsylvania mineral production in 1952 are: cement, 8.99 percent; stone, 3.93 percent; sand and gravel, 1.75 percent; and clay, 1.05 percent.

In contrast to the decline in production of mineral fuels in Pennsylvania, the four principal nonfuel minerals registered substantial increases in production over the decade 1943-1952. Cement output more than doubled, while clay output increased threefold. Stone production increased 28 percent, and sand and gravel, 58 percent.

7. Adequate geological maps exist for only about one-third of the area of Pennsylvania. The Commonwealth appropriated the following amounts for mineral research and geological survey work for the biennium 1953-55:

Department of Internal Affairs:	
Topographic and Geologic Survey ..	\$250,000
The Pennsylvania State University:	
School of Mineral Industries	245,000
	<hr/>
TOTAL	\$495,000

The total annual allocation for mineral research and geological survey work represents approximately .02 percent of the value of mineral production in Pennsylvania.

With respect to organizational pattern and performance, the geological surveying and mineral research program in Illinois is judged to be outstanding. The Illinois Geological Survey, located at the University of Illinois, is under the jurisdiction of a six-man Board of Natural Resources and Conservation. The Illinois survey has a staff of 115 technical employes. Duties of the survey are to study the location of underground resources, analyze extraction processes, and improve methods of mineral utilization.

The annual budget of the Illinois Geological Survey is about \$750,000, or about .15 percent of the total value of mineral production in Illinois. Hence, relative to the value of mineral production, the State of Illinois appropriates about seven times as much money for geological survey and mineral research as does the Commonwealth of Pennsylvania.

Recommendations:

It is recommended that:

1. A Resource and Industrial Development Board be established for the purpose of co-ordinating geological survey, mineral research, and development work, the membership of such board to consist of representatives of management, labor, and the sciences.

2. The technical operation of the Pennsylvania geologic survey be transferred to State College, Pennsylvania, and the sum of \$700,000 for the biennium 1955-57 be appropriated for purposes of the survey.

3. The appropriation to The Pennsylvania State

University, School of Mineral Industries, be increased by \$250,000 for the biennium 1955-57 for the purpose of developing better methods of mineral extraction and utilization.

4. The mineral industries be contacted with a view of ascertaining the extent of possible private financial participation in research, survey, and developmental activities.

[SEPARATE REPORT
TO BE ISSUED]

LIVESTOCK MARKETING

Legislative Mandate:

To study and investigate livestock auction sales and other methods of buying and selling livestock.

Investigation:

Ascertained statutory provisions relating to livestock dealers, livestock auctions, and stockyards in Pennsylvania. Determined the cost of veterinary, sanitary, and inspection services rendered at auctions and stockyards by the Commonwealth. Reviewed practices of other states regarding licensing of livestock dealers and auctions. Studied historical trends in livestock marketing methods in Pennsylvania.

Strategic Facts:

1. Prior to the depression of the '30s, stockyards accounted for by far the greater part of livestock sales. In the past twenty years, however, in both Pennsylvania and the nation, auctions have become increasingly important livestock marketing centers. Other marketing methods—through dealers for resale, and directly to packers and butchers—account for only a small portion of total livestock sales.

In 1953, the 61 auctions in Pennsylvania handled 1,020,000 head of livestock. Livestock receipts at the Lancaster and Pittsburgh stockyards were 464,000 head and 183,000 head, respectively.

In Pennsylvania, the auction trading radius generally does not exceed 50 miles, and it is estimated that well over 90 percent of livestock traded at Pennsylvania auctions is of Pennsylvania origin. By contrast, livestock shipments from out of state by both rail and truck are common at the Pittsburgh and Lancaster stockyards. A study of the point of origin of livestock receipts at the Lancaster stockyards for 1953 shows that animals were received from 34 other states and that out-of-state shipments accounted for 30 percent of total livestock receipts.

2. Commonwealth regulation of livestock auctions and stockyards is directed towards curbing the spread of livestock disease. Regulations pertaining to the marketing of reactor cattle—animals which by official laboratory test are judged positive to Bang's disease (brucellosis) or tuberculosis—specify that these animals may be sold only through the Lancaster or Pittsburgh stockyards or directly to a licensed dealer or licensed slaughtering establishment. Herd owners have contended that available marketing outlets are insufficient to establish competitive prices for reactor cattle. The Pennsylvania Department of Agriculture advises that it can develop methods, rules, and regulations which will assure the safe handling of reactor cattle at livestock auctions.

3. All livestock dealers, including auctions and commission merchants operating at stockyards, are required to obtain an annual license at a fee of \$5. Agents of dealers must obtain an annual license at a cost of \$1. These license fees have been in effect since 1937.

Auctions must employ a licensed veterinarian to inspect all animals, to vaccinate hogs sold for purposes other than immediate slaughter, to quarantine animals not fit for human consumption, and to supervise cleaning and disinfecting the premises after each sale. Agents of the Pennsylvania Department of Agriculture periodically inspect auctions to insure that proper veterinary services are being provided and that sanitary premises are maintained. The annual cost to the Commonwealth of auction inspection and related administrative activity is estimated at \$3,800. Revenues to the Commonwealth from auctions amount to \$5 per year per auction, or about \$325 annually.

At the two stockyards in Pennsylvania, veterinary inspection service and sanitary supervision is provided by state-employed veterinarians. It is estimated that the cost to the Commonwealth of providing these services is about \$12,950 annually. Total revenues to the Commonwealth from dealers' licenses obtained by commission merchants operating at the stockyards amount to about \$100; the stockyards are not required to obtain a license or pay a fee to the Commonwealth.

4. The federal government, under the authority of the Packers and Stockyards Act of 1921 and supplementary legislation, has established regulations applicable to public livestock markets of which the area available for handling livestock is 20,000 square

feet or greater. The regulations specify that livestock markets and commission agents at livestock markets must execute and maintain a performance bond or its equivalent, the amount of which is determined on the basis of the daily volume of business. In Pennsylvania, three establishments are under federal regulation: the stockyards at Pittsburgh and Lancaster and the livestock auction at New Holland.

The Commonwealth does not require that livestock auctions post a bond. Of thirty-four states which responded to a Commission questionnaire, sixteen require that a bond or other proof of financial responsibility be maintained by livestock auctions. Some of these states require a flat bond, typically \$10,000. In other states, the amount of the bond is determined by sales volume.

Recommendations:

It is recommended that:

1. The license fee for livestock dealers be \$10, and that dealers who are commission agents at stockyards pay, in addition, \$.02 per head of livestock sold.
2. All livestock auctions be required to maintain bonds comparable to those which the federal government requires at marketing establishments under its jurisdiction.
3. The sale of reactor cattle be permitted at livestock auctions under conditions specified in regulations of the Pennsylvania Department of Agriculture relating to the transportation, handling, and sale of reactor cattle.

[SEPARATE REPORT
TO BE ISSUED]

PENSION AND OTHER EMPLOYEE BENEFIT PLANS

Legislative Mandate:

To study and investigate public and private pensions, pension funds, and pension plans.

Pursuant to the authority vested in the Commission by the Act of 1937, July 1, P. L. 2460, as amended 1939, June 26, P. L. 1084, the Commission expanded the scope of the study to include temporary nonoccupational disability plans and medical expense plans.

Investigation:

1. Estimated, on the basis of a survey of Pennsylvania adults, coverage, overlapping coverage, and expected benefits under public and private pension plans, as of March, 1954. The survey was restricted to persons aged 25 or over whose income, or whose spouse's income, did not exceed \$5,000 in 1953.

2. By means of a survey of employers whose employees were covered by Pennsylvania Unemployment Compensation, made investigations of:

- a. 1953 coverage, characteristics, and effects of private employment pension plans,
- b. 1953 coverage, characteristics, and effects of temporary nonoccupational disability plans, and
- c. 1953 coverage of medical expense plans.

Strategic Facts:

1. The following estimates relate to Pennsylvania adults having the age and income characteristics specified above:

a. Coverage, by number and types of pension programs, is shown in the table below.

b. Total monthly pensions (excluding veterans' pensions) expected by married couples varied from \$20-\$39 to more than \$200; the average (median) was between \$120 and \$139. Those expected by other male adults varied from \$1-\$19 to more than \$200, with an average (median) between \$80 and \$99. Those expected by other female adults varied from \$20-\$39 to more than \$200, with an average (median) between \$40 and \$59.

2. The survey of employers subject to the provisions of the Pennsylvania Unemployment Compensation law showed that about 35 percent of their employees were covered by private employment pension plans in 1953. The following estimates were

<i>Number and Types of Pension Programs</i>	<i>Married Couples</i>	<i>Other Male Adults</i>	<i>Other Female Adults</i>
(1)	(2)	(3)	(4)
Total Covered	93%	87%	64%
By 1 type of program	37	36	51
By 2 types of programs	40	43	13
By 3 types of programs	16	8	..
<hr/>			
Total Covered by:			
Primary Social Security	85%	74%	42%
Pension plan in current or previous employment	43	32	15
Veterans' program	39	40	..
Survivors' programs	20

made concerning those employes covered by pensions plans:

a. 10 percent were covered by plans started during the four-year period 1942-45, 18 percent by plans started during the period 1946-49, and 36 percent by plans started during the period 1950-53.

b. 79 percent were covered by plans providing for a "normal" retirement age of 65. In addition, a minimum length of service was usually required.

c. 54 percent were covered by plans which permitted members to work beyond "normal" retirement age without obtaining special permission, provided they were able to perform their jobs.

d. 42 percent were covered by plans having provisions for retirement prior to "normal" retirement age; some of these plans provided for vesting of (crediting employe with) employer contributions if the employe should leave after meeting specified age and/or service requirements. Plans with provision for vesting, but not for early retirement, covered another 4 percent of employes.

e. 69 percent were covered by plans having provisions for disability retirement, and 18 percent by plans without specific provisions for disability retirement but with provisions for vesting or early retirement.

f. 23 percent were covered by plans under which employes retiring with 25 years of service and average annual earnings of \$3,000 would receive monthly pensions between \$96 and \$105, less primary Social Security benefits; 22 percent were covered by plans under which such employes would receive monthly pensions between \$36 and \$55, independent of Social Security benefits. Monthly pensions for employes retiring with 25 years of service and average annual earnings of \$3,000 ranged from \$50 to \$150 under plans providing for deduction of primary Social Security benefits, and from \$10 to \$145 under plans providing benefits independent of Social Security.

g. 36 percent were covered by plans providing for vesting of employer contributions under specified conditions.

h. 85 percent were covered by plans having provisions for the funding, through insurance or a trust fund, of part or all of the liability for future pension payments. In some of these cases, the current extent of funding was not reported.

3. The survey of employers showed that about 48 percent of their employes were covered by some type of temporary nonoccupational disability plan: 9 percent by sick-leave plans, 37 percent by part-pay plans, and 2 percent by plans of unreported type. (Subsequent communication with some employers, who did not originally report sick-leave plans, suggests that this type of coverage was under-reported.) The following estimates were made concerning those employes covered by part-pay plans (the percentages shown do not add to 100 because some employes are covered by plans for which characteristics were not fully reported or which had characteristics that were reported with low frequency):

a. 6 percent were covered by plans started during the four-year period 1942-45, 18 percent by plans started during the period 1946-49, and 38 percent by plans started during the period 1950-53.

b. 17 percent were covered by plans requiring six months of service for coverage, 26 percent by plans requiring three months of service for coverage, 18 percent by plans requiring one month of service for coverage, and 13 percent by plans with no service requirement for coverage.

c. 71 percent were covered by plans providing that benefits be paid beginning with the eighth day of sickness during each new period of disability. In the majority of these cases, benefits were payable beginning with the first day of disability resulting from an accident.

d. 50 percent were covered by plans which provided for a fixed weekly benefit and 25 percent by plans under which the size of benefit depended upon customary earnings with fixed minimum and maximum benefits.

e. 30 percent were covered by plans providing for a minimum weekly benefit between \$23 and \$27. Minimum weekly benefits (other than those

expressed as a percentage of normal earnings) ranged from \$5 to \$93.

f. 40 percent were covered by plans providing for a maximum weekly benefit between \$23 and \$32. Maximum weekly benefits (other than those expressed as a percentage of normal earnings) ranged from \$10 to \$194.

g. 43 percent were covered by plans under which benefits were payable for a maximum of 26

weeks, and 41 percent by plans under which benefits were payable for a maximum of 13 weeks.

4. The survey of employers showed that about 54 percent of their employes were covered by medical expense plans in connection with their own employment.

[SEPARATE REPORT
TO BE ISSUED]

SOLICITATION ACT OF 1925

Legislative Mandate:

To study and investigate the effectiveness and administration of the Solicitation Act of 1925.

Investigation:

Reviewed the Solicitation Act of 1925 and its ten amendments (the last of which was adopted at the 1953 Session), together with the court decisions and opinions of the Attorney General dealing therewith. Conferred with representatives of the departments of Public Instruction and Military Affairs concerning their experience in administering the act, and examined the rules and regulations and the forms employed. Examined the statutes of other states regulating the solicitation of funds for charity and federal requirements for obtaining and maintaining exempt status with the Director of Internal Revenue from the payment of income tax to the federal government. Held a public hearing on June 21, 1954, to afford all interested parties an opportunity to be heard. Prepared a draft of a proposed solicitation act to replace the present law.

Strategic Facts:

1. Public solicitation for charitable and benevolent purposes, ministering to material and spiritual human needs, relieving the suffering of animals, and inculcating patriotism, is regulated by the Act of May 13, 1925, P. L. 644, as amended.

2. The Solicitation Act has been amended ten times as follows:

First Amendatory Act, April 18, 1927, P. L. 300, amended Section 4 by providing that no certificate of registration may be issued to anyone paying, for services for fund raising, in excess of 15 percent of the amount collected, or the sale price of anything or object, or the gross receipts from any public bazaar, sale, entertainment, or exhibition, or any similar means; and by providing for revocation of any certificate where such cost exceeds 15 percent.

Second Amendatory Act, June 22, 1931, P. L. 871, No. 285, amended Section 11 by providing that a religious organization to be exempt must be engaged in "raising funds for religious purposes." It also eliminated the exemption formerly extended to "community organizations within the Commonwealth."

Third Amendatory Act, May 23, 1933, P. L. 973, amended Section 9 by providing that the fee for registration be increased from \$2 to \$10.

Fourth Amendatory Act, June 20, 1935, P. L. 358, amended Sections 1, 2, 3, 4, 5, 7, and 9—virtually the entire act, as only Sections 6 (All statements to be public records), 8 (Form of statement), 10 (Violations), 11 (Exempt organizations), 12 (Repeal) were not amended. This amendatory act provided that certificates of registration may not be issued to individuals and, where certificates of registration are withdrawn or not proceeded in, the fees paid shall be refunded.

Fifth Amendatory Act, May 3, 1943, P. L. 150, amended Section 11 to exempt from the provisions of the act "associations of alumni or alumnae thereof [colleges, schools and universities], raising funds for fellowships and scholarships."

Sixth Amendatory Act, May 21, 1943, P. L. 280, also amended Section 11 to exempt from the provisions of the act "any war veterans' organization or any subordinate units thereof, whenever the purpose for which it is soliciting funds has been approved by the Department of Military Affairs."

Seventh Amendatory Act, May 22, 1945, P. L. 844, No. 341, also amended Section 11 to exempt "federated women's clubs" from the provisions of the act.

Eighth Amendatory Act, June 5, 1947, P. L. 474, amended Sections 7 and 10 by providing additional limitations on solicitations, prohibiting the use of the fact of registration as a stamp of state approval, and creating relief in equity and additional penalties.

Ninth Amendatory Act, June 28, 1951, P. L. 922, amended all sections but Section 2 (Written appeal to public must state name of holder of certificate), Section 6 (All statements to be public records) and Section 12 (Repeal). This amendatory act transferred the administration and enforcement of the provisions of the act from the Department of Welfare to the Department of Public Instruction.

Tenth Amendatory Act, June 19, 1953, P. L. 292, amended Section 11 for the sixth time, to exempt "national service organizations, civic organizations, or nonprofit corporations (incorporated under the laws of the Commonwealth), which have obtained and is maintaining an exempt status with the Director of Internal Revenue from the payment of income tax to the Federal Government" and "national service clubs or local associations raising funds for child welfare projects."

3. Applications and registrations under the Solicitation Act, 1949 through 1953, are as follows:

ORGANIZATIONS FILING UNDER SECTION 1 OF THE SOLICITATION ACT

<i>Year</i>	<i>Applications Received</i>	<i>Certificates Granted</i>	<i>Applications Refused</i>	<i>Applications Withdrawn</i>
1949	584	565	11	8
1950	626	598	20	8
1951	635	601	11	12
1952	685	573	1	10
1953	563	487	1	16

REGISTRATIONS GRANTED UNDER SECTION 7 OF THE SOLICITATION ACT

<i>Year</i>	<i>Individuals</i>	<i>Corporations, Copartnerships, and Associations</i>
1949	414	18
1950	387	20
1951	261	18
1952	320	21
1953	376	24

4. The following schedule sets forth the receipts and costs of administering the Solicitation Act for the fiscal years ended in 1953 and 1954. These two years were the first full fiscal years under the administration of the Department of Public Instruction.

All receipts from applicants are forwarded to the Department of Revenue. All refunds, granted only upon withdrawal of the application by the applicant, are made by the Board of Finance and Revenue upon the request of the applicant.

All costs are directly charged to the administration of this act except the cost of the time spent by a deputy superintendent, the chief of the Private Academic School Registration Section, and the legal advisor. It is estimated that \$500.00 represents a reasonable annual allocation for administrative service rendered by these persons.

The approved budget for the 1953-55 biennium amounted to \$21,400.00, of which \$9,417.07 was expended during the first fiscal year.

SOLICITATION ACT
DEPARTMENT OF PUBLIC INSTRUCTION
RECEIPTS AND COSTS

	<i>Fiscal Year Ended May 31, 1954</i>	<i>Fiscal Year Ended May 31, 1953</i>
Receipts		
Fees Received	\$4,850.00	\$6,230.00
Less Refunds	170.00	140.00
Net Receipts	<u>\$4,680.00</u>	<u>\$6,090.00</u>
Costs and Expenditures		
Costs of Administration		
Direct Charges	\$9,235.94	\$11,042.27
Indirect Charges—Estimated allocation of time of Department of Public Instruction administrators	500.00	500.00
Total	<u>\$9,735.94</u>	<u>\$11,542.27</u>
Expenditures for Equipment	181.13	305.14
Total Costs and Expenditures	<u>\$9,917.07</u>	<u>\$11,847.41</u>
SUMMARY		
Total Costs and Expenditures	\$9,917.07	\$11,847.41
Less Receipts Net of Refunds	4,680.00	6,090.00
Excess of Costs over Receipts	<u>\$5,237.07</u>	<u>\$5,757.41</u>

5. The parties appearing at the public hearing presented suggestions and recommendations which are on file in the office of the Commission for use of the General Assembly upon request.

Recommendation:

That the proposed Solicitation Act be enacted.

DECEDENTS' ESTATES LAWS

Mandate:

To review the decedents' estates laws of the Commonwealth, consider amendments proposed thereto and recommend such amendments as may be deemed desirable for the better working of these laws.

Investigation:

Appointed, as advisors, the 27 judges and lawyers who served on the Commission's Decedents' Estates Advisory Committee in the drafting of the decedents' estates laws. Invited judges, lawyers, and others to submit their suggestions for amendment for review by the Commission and the advisors, so that recommendation concerning suggested amendments might be made by the Commission to the General Assembly early in the legislative session.

Strategic Facts:

The Joint State Government Commission, as directed by Senate Resolution Serial No. 46 of the

1945 Session of the General Assembly, submitted drafts of an intestate act, a wills act, an estates act and a principal and income act, all of which were enacted in 1947. These, with comments, are contained in the Commission's report, *Decedents' Estates Laws of 1947*. And, as directed by Senate Resolution Serial No. 34 of the 1947 Session, the Commission submitted drafts of a fiduciaries act and a fiduciaries investment act, both of which were enacted in 1949. These, with comments, are contained in the Commission's report, *Decedents' Estates Laws of 1949*. Finally, as directed by House Concurrent Resolution No. 74 of the 1949 Session, the Commission submitted drafts of an incompetents' estates act, a register of wills act, an orphans' court act, and an estate tax apportionment act, all of which were enacted in 1951. These, with comments, are contained in the Commission's report, *Decedents' Estates Laws of 1951*.

These acts have been amended from time to time, and suggestions for further amendment have been made by members of the legal profession.

Part III

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† Appointed April 15, 1954, to fill vacancy created by the death of Ivan C. Watkins.

CONTINUING STUDY ON PUBLIC SCHOOLS

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† Appointed to fill vacancy created by resignation of Edwin W. Tompkins.

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Graduate School of Public Health
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* Deceased.

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Part IV

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1939-1953

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