

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2042 Session of
2001

INTRODUCED BY O'BRIEN, CREIGHTON, DAILEY, FLICK, FRANKEL,
GODSHALL, HARHAI, LaGROTTA, LAUGHLIN, MARKOSEK, MCGILL,
McNAUGHTON, PALLONE, SCHRODER, SCHULER, E. Z. TAYLOR, TIGUE
AND WATSON, OCTOBER 17, 2001

REFERRED TO COMMITTEE ON STATE GOVERNMENT, OCTOBER 17, 2001

AN ACT

1 Authorizing the Department of General Services, with the
2 approval of the Governor, to transfer control and
3 jurisdiction within the State Government of certain land
4 situate in the Fifty-Eighth Ward of the City of Philadelphia
5 to the Department of Public Welfare for the construction of
6 the Living and Learning Center for the Treatment of Autism.

7 The General Assembly finds and declares as follows:

8 WHEREAS, The Commonwealth has ceased using all the facilities
9 at Byberry State Hospital for care, maintenance or treatment of
10 mental illness; and

11 WHEREAS, The Commonwealth desires to develop, on a portion of
12 the former Byberry State Hospital site, a special living and
13 training center for adult persons with autism spectrum disorder
14 who have aged beyond public school services.

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

17 Section 1. Conveyance in Fifty-Eighth Ward in City of
18 Philadelphia.

19 (a) Transfer authorized.--The Department of General

1 Services, with the approval of the Governor, is hereby
2 authorized and directed on behalf of the Commonwealth of
3 Pennsylvania to transfer the control and jurisdiction over the
4 following parcel of land with the buildings and improvements
5 erected thereon situate in the Fifty-Eighth Ward of the City of
6 Philadelphia, Commonwealth of Pennsylvania, to the Department of
7 Public Welfare, such land being bounded and described as
8 follows:

9 Beginning at the point of intersection of the northwesterly
10 side of The Roosevelt Boulevard (two hundred fifty-four feet
11 wide) and the northeasterly side of Southampton Road (sixty feet
12 wide); thence extending north forty-two degrees fifty-four
13 minutes forty seconds west along the northeasterly side of the
14 said Southampton Road the distance of eight hundred seventy-five
15 and five hundred forty-two one-thousandths feet to an angle
16 point; thence continuing north forty-five degrees six minutes
17 forty seconds west along the northeasterly side of said
18 Southampton Road the distance of one thousand two hundred forty-
19 five and seven hundred eighty-three one-thousandths feet to a
20 point on the southeasterly side of Carter Road (forty-six and
21 fifty one-hundredths feet wide); thence extending north forty-
22 one degrees four minutes twenty-two seconds east along the
23 southeasterly side of said Carter Road the distance of one
24 thousand four hundred three and three hundred ten one-
25 thousandths feet to an angle point; thence continuing along the
26 southeasterly side of said Carter Road the distance of nine
27 hundred twenty-eight and four hundred forty-two one-thousandths
28 feet to a point; thence extending south forty-three degrees
29 fifty-three minutes twenty-eight seconds east the distance of
30 four hundred feet to a point; thence extending south eighty-

1 eight degrees fifty-three minutes twenty-eight seconds east the
2 distance of two hundred feet to a point; thence extending north
3 forty-six degrees six minutes thirty-two seconds east the
4 distance of four hundred twelve and two hundred ninety-two one-
5 thousandths feet to a point; thence extending south forty-one
6 degrees fifty-four minutes eleven seconds east the distance of
7 eight hundred fifty-one and one hundred sixty-eight one-
8 thousandths feet to a point; thence extending south forty-eight
9 degrees five minutes forty-nine seconds west the distance of two
10 hundred ninety-two and six hundred thirty-one one-thousandths
11 feet to a point; thence extending south three degrees five
12 minutes forty-nine seconds west the distance of three hundred
13 sixty-eight and nine hundred twenty-seven one-thousandths feet
14 to a point; thence extending south forty-one degrees fifty-four
15 minutes eleven seconds east the distance of three hundred
16 seventy-six and two hundred thirteen one-thousandths feet to a
17 point; thence extending south eighty-six degrees fifty-four
18 minutes eleven seconds east the distance of four hundred forty-
19 two and five hundred thirty one-thousandths feet to a point on
20 the northwesterly side of said The Roosevelt Boulevard; thence
21 extending south forty-eight degrees five minutes forty-nine
22 seconds west the distance of two thousand five hundred sixty-
23 seven and one hundred fifteen one-thousandths feet to a point on
24 the northeasterly side of said Southampton Road, being the first
25 mentioned point and place of beginning.

26 Containing in area five million six hundred ninety-seven
27 thousand seven hundred five square feet or one hundred thirty
28 and eight thousand thirteen ten-thousandths acres.

29 (b) Easements.--The transfer shall be made under and subject
30 to all easements, servitudes, and rights of others, including,

1 but not confined to, streets, roadways and rights of any
2 telephone, telegraph, water, electric, sewer, gas or pipeline
3 companies, as well as under and subject to any interest, estates
4 or tenancies vested in third persons, whether or not appearing
5 of record, for any portion of the land or improvements erected
6 thereon.

7 (c) Prior restrictions.--The tracts and parcels of land
8 described in this section and the jurisdiction and control over
9 the same herein authorized to be transferred shall be
10 transferred free and clear of any limitations or rights of
11 reversion more particularly set forth in section 1 of the act of
12 September 29, 1938 (Sp.Sess., P.L.53, No.21), entitled, as
13 reenacted and amended, "An act relating to institutions of
14 counties, cities, wards, boroughs, townships, institution
15 districts and other political subdivisions, for the care,
16 maintenance, and treatment of mental patients; providing for the
17 transfer to the Commonwealth for the care, maintenance and
18 treatment of mental patients of such institutions, and all
19 grounds, lands, buildings and personal property of such
20 political subdivisions used for the care and maintenance of
21 indigent persons connected with such mental institutions;
22 providing for the management and operation or closing and
23 abandonment thereof; and the maintenance of mental patients
24 therein; including the collection of maintenance in certain
25 cases; providing for the retransfer of certain property to
26 counties, cities, wards, boroughs, townships, institution
27 districts and other political subdivisions under certain
28 circumstances; conferring and imposing upon the Governor, the
29 Department of Welfare, the courts of common pleas and counties,
30 cities, wards, boroughs, townships, institution districts and

1 other political subdivisions certain powers and duties;
2 prohibiting cities, counties wards boroughs, townships,
3 institution districts and other political subdivisions from
4 maintaining and operating institutions, in whole or in part, for
5 the care and treatment of mental patients; and repealing
6 inconsistent laws."

7 (d) Construction.--Upon the appropriation of the necessary
8 funds by the General Assembly or upon receipt of the funds from
9 any other source, the Department of Public Welfare shall
10 construct the Living and Learning Center for the Treatment of
11 Autism on the land described in subsection (a).

12 (e) Status of Living and Learning Center for the Treatment
13 of Autism.--Once constructed, the Living and Learning Center for
14 the Treatment of Autism shall be deemed a State institution for
15 the purposes of the act of June 13, 1967 (P.L.31, No.21), known
16 as the Public Welfare Code. The Living and Learning Center for
17 the Treatment of Autism shall:

18 (1) Integrate vocational and residential programs for
19 adults with autism spectrum disorder in addition to
20 conducting research to further understand adults with autism
21 spectrum disorder and developing appropriate treatments to
22 provide for their needs.

23 (2) Train professionals in treating adults with autism
24 spectrum disorder.

25 (3) Establish a residential program which emphasizes the
26 development of independent skills in a wide variety of areas,
27 including, but not limited to, the activities of daily living
28 and domestic, communication, social, leisure and vocational
29 skills.

30 (4) Address such skills at both the center and in the

1 community.

2 (5) Establish a vocational program which emphasizes a
3 farming and landscaping curriculum which program may include
4 other areas of vocational training as appropriate to the
5 center's activities.

6 (6) Provide a day program for adults with autism
7 spectrum disorder who live within the locale of the center.

8 Section 2. Effective date.

9 This act shall take effect immediately.