
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **538** Session of
1961

MR. ROONEY, IN PLACE, APRIL 18, 1961.

AS AMENDED ON THIRD READING, JUNE 5, 1961.

AN ACT

Amending the act of May 28 1937 (P L 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill. Underscoring indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or

apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" requiring contractors to furnish ~~performance~~ bonds in contracts between them and public utilities

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

1 Section 1 The act of May 28 1937 (P L 1053) known as the
2 "Public Utility Law" is amended by adding after section 911 a new
3 section to read

4 Section 911.1 Contracts between Public Utilities and Contractors
5 Performance Bonds No contract shall be entered into between any
6 public utility and a contractor for the construction erection improvement
7 or repair of buildings or facilities to cost more than five thousand
8 dollars (\$5000) unless the contractor shall have furnished the public
9 utility a bond in the amount AN AMOUNT EQUAL TO AT LEAST
10 ONE-HALF of the contract price conditioned for the faithful perform-
11 ance of the contract AND AN ADDITIONAL BOND IN A LIKE
12 AMOUNT CONDITIONED UPON THE PAYMENT OF LABOR
13 AND MATERIAL FURNISHED TO THE CONTRACTOR AND
14 HIS SUBCONTRACTORS IN THE PERFORMANCE OF THE
15 WORK WHETHER OR NOT THE SAID MATERIAL OR LABOR
16 ENTER INTO AND BECOME COMPONENT PARTS OF THE
17 WORK CONTEMPLATED EACH SUCH BOND SHALL BE IN
18 A FORM SATISFACTORY TO THE PUBLIC UTILITY and shall
19 have as surety a surety company authorized to act as surety in the Com-
20 monwealth of Pennsylvania

We certify that this bill has passed the Senate and the House of Representatives.

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Chief Clerk, Senate

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President pro tempore, Senate

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Speaker, House of Representatives

Approved The day of A. D. 1961.

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Governor