

per centum ¹(2) of such assessed valuation: Provided, That the total indebtedness [in any school district of the first class A except obligations incurred under the provisions of section six hundred forty (640) of this act, shall never exceed two per centum ¹(2) of the last assessed valuation of property taxable for school purposes therein, and] in any school district of the first class and first class A, except obligations incurred under the provisions of section six hundred forty (640) of this act, shall never exceed [three (3)] five (5) per centum of the last assessed valuation of property taxable for school purposes therein, and in school districts of the second, third and fourth class shall not exceed seven per centum ¹(7) of such assessed valuation. Except where such temporary indebtedness is to be refunded by the issue of bonds, as hereinbefore authorized, at or before the time of incurring such indebtedness for such purpose, provision shall be made for the collection of an annual tax, sufficient to pay the interest and also the principal thereof within the term of such indebtedness, as provided by law.

Section 666. Limit of Indebtedness.—The total indebtedness incurred or created [by any school district of the first class A, including any indebtedness assumed by it on or before the eighteenth day of May, one thousand nine hundred eleven, shall not exceed two (2) per centum upon the total assessed value of the taxable property in such school district, and] in any school district of the first class and first class A, including any indebtedness assumed by it on or before the eighteenth day of May, one thousand nine hundred eleven, shall not exceed [three (3)] five (5) per centum upon the total assessed value of the taxable property in such school district.

Section 2. This act shall take effect immediately.

APPROVED—The 1st day of December, A. D. 1965.

WILLIAM W. SCRANTON

No. 375

AN ACT

HB 1675

Amending the act of June 1, 1945 (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," authorizing certain cities to enter into certain contracts with the State for the construction of highways, bridges and the taking, opening, relocation, widening and change of grade of State highways within such cities.

¹ Figure "%" in original.

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

Section 1. Sections 403, 408 and 542, act of June 1, 1945 (P. L. 1242), known as the "State Highway Law," are amended to read:

Section 403. By Whom Construction Work to Be Done.—All work of construction, building or rebuilding of highways, excepting that of repairing and maintenance, done under the provisions of this act, may be either (1) by the agents, including cities when so designated by the department, servants and employes of the department, or (2) by contract, and shall be according to plans and specifications to be prepared or approved in every case by the department.

Section 408. Contracts for Repair, Maintenance and Engineering Services.—The secretary may, upon compliance with the foregoing sections of this article, enter into a contract with any person, firm, or corporation, or the authorities of any city, borough or incorporated town, or the commissioners of any county, or the supervisors or commissioners of any township, to repair and maintain any State highway, or any portion thereof, including the construction or reconstruction of bridges thereon. The secretary may also contract with any person, firm or corporation for engineering services to lay out, design, and estimate the cost of constructing, altering or repairing highways and bridges.

Section 542. Construction, Resurfacing, Repair and Maintenance; Change of Lines, Widths and Grades.—After the streets, designated as State highways shall have been taken over by the Commonwealth, they shall be maintained, constructed, reconstructed, resurfaced and repaired by the department at the expense of the Commonwealth, and such construction, reconstruction, and resurfacing shall be of such type as shall be determined by the secretary, with the approval of the Governor, and repairs and maintenance shall be of such type as shall be determined by the secretary: Provided, however, That nothing in this section shall be construed to place upon the Commonwealth any obligation to repair and maintain the curbing and footways of any such street, or to remove snow or keep streets clean: And provided further, That the department may enter into agreements in the discretion of the secretary with cities of the first class wherein and whereby such cities are authorized to design, advertise for bids, let contracts and supervise construction of new bridges and the reconstruction of existing bridges on State highways within the limits of such cities.

The department may enter into agreements, in the discretion of the secretary, with the cities or with persons, associations or corporations for the sharing with the Commonwealth of the cost of construction, reconstruction or resurfacing of these streets, or sections thereof, taken over by the Commonwealth under any act.

Section 2. Section 545 of the act, amended October 7, 1955 (P. L. 677), is amended to read:

Section 545. Taking, Opening, Relocation, Widening, Change of Grade; Damages.—The secretary, with the approval of the Governor, and any such city of the first or second class is hereby authorized to enter into agreements for the taking, opening, relocation, widening or change of grade by the Commonwealth of any State highway or section thereof within the limits of such city. Such agreements may provide, inter alia, for the payment by the city of all or part of the property damages resulting by reason of the taking, opening, relocation, widening or change of grade by the Commonwealth of such highway or section thereof.

The amount of damages payable for such taking, opening, relocation, widening or change of grade by the Commonwealth shall be ascertained in accordance with article III of this act relating to the payment of damages for the taking, opening, relocation, widening or change of grade of State highway routes. Each city of the first or second class is hereby appointed and constituted the agent of the Commonwealth in the taking, opening, relocation, widening or change of grade of any such highway or section thereof within its limits and in the determination of property damages payable therefor under the provisions of this subdivision of this article. [The city as agent for, and on behalf of, the Commonwealth shall determine by amicable settlement, legal proceedings or otherwise all claims for damages in accordance with the procedure established by law for the determination of damages resulting from the exercise of eminent domain by cities of the first or second class. No agreement for the settlement of any claim for damages shall become effective until approved by the secretary, and the secretary shall at the expense of the Commonwealth have the right to be represented by counsel and witnesses in any judicial proceedings to ascertain the damages payable, but all other expenses of such judicial proceedings, exclusive of damages, shall be paid by the city.] The damages resulting from such taking, opening, relocation, widening or change of grade of any such street or section thereof, when finally ascertained, whether by settlement, award, judgment or otherwise, in addition to any other expense of such judicial proceedings, shall be paid out of moneys in the Motor License Fund, and all sums, if

any due by such city as its share thereof under any such an agreement with the Commonwealth, shall be paid by such city to the Commonwealth and shall be credited in the Motor License Fund.

Section 3. Sections 907 and 908 of the act are amended to read:

Section 907. Advertising and Bids for Construction in Conjunction with Work by Department of Highways.—It shall also be lawful for the local authorities and department to provide by agreement that the department may advertise and receive bids for the construction of any part or portion of a highway, or any structure forming part thereof, or to provide that cities of the first class may advertise and receive bids for similar construction within the limits of such cities, whenever, in the judgment of the secretary, such arrangements are desirable and such construction may be done in conjunction with construction by the department or not interfere therewith. Such advertising, when done in accordance with the laws applicable to advertising for bids by the department shall be the only advertising necessary, any law to the contrary notwithstanding.

Section 908. Department of Highways to Receive Bids, etc.—When any work is to be done by contract as provided by this act, the department may receive bids and award the contract for and on behalf of the local authorities, and thereafter may supervise the performance of the work provided for by the contract and forward estimates to the local authorities for payment except where cities have been designated as agents for the department.

APPROVED—The 1st day of December, A. D. 1965.

WILLIAM W. SCRANTON

No. 376

AN ACT

HB 1759

Amending the act of July 25, 1913 (P. L. 1024), entitled "An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof." further providing for hours of employment and exceptions, night work, rest periods and seating, rest-room and wash-room, air purification and drinking water require-