

and are hereby appropriated out of the General Fund for the purposes hereinbefore set forth.

If Congress enacts any law changing the participation by the Federal government in amounts greater than those now fixed by law the appropriations herein made shall be reduced by the amounts that the Federal government participation is increased.

(b) Any law to the contrary notwithstanding, expenditures of moneys appropriated herein shall be made under such systems of requisitioning and accounting as the Governor, the State Treasurer, the Secretary of the Department of Labor and Industry, and the Superintendent of Public Instruction or a majority of them shall determine.

(c) The moneys hereby appropriated shall not be expended or available for expenditure in any manner which would permit their substitution for, or produce a corresponding reduction in, Federal funds which would, in the absence of the hereby appropriated moneys, be available to finance expenditures for the administration of this act.

Section 3. This act shall take effect July 1, 1965.

APPROVED—The 22d day of December, A. D. 1965.

WILLIAM W. SCRANTON

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No. 469

AN ACT

SB 307

Limiting certain actions for injuries to the person, for wrongful death and to property arising out of deficiencies in design, planning, supervision or observation of construction, or construction of improvements to real property.

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

Section 1. No action (including arbitration proceedings) whether in contract, in tort or otherwise, to recover damages:

(1) For any deficiency in the design, planning, supervision or observation of construction or construction of an improvement to real property,

(2) For injury to property, real or personal, arising out of any such deficiency,

(3) For injury to the person or for wrongful death arising out of any such deficiency, or

(4) For contribution or indemnity for damages sustained on account

of any injury mentioned in clauses (2) and (3) hereof, shall be brought against any person lawfully performing or furnishing the design, planning, supervision or observation of construction, or construction of such improvement more than twelve years after completion of such an improvement.

Section 2. Notwithstanding the provisions of section 1 of this act, in the case of such an injury to property or the person, or such an injury causing wrongful death, which injury occurred during the twelfth year after such completion, an action in tort to recover damages for such an injury or wrongful death may be brought within two years after the date on which such injury occurred: Provided, That in the case of wrongful death, such action shall also be brought within one year of the date of death. In no event, however, may any of such actions be brought more than fourteen years after the completion of construction of such an improvement.

Section 3. Nothing in this act shall be construed as extending the period prescribed by the laws of this Commonwealth for the bringing of any action.

Section 4. The limitation prescribed by this act shall not be asserted by way of defense by any person in actual possession or the control, as owner, tenant or otherwise, of such an improvement at the time any deficiency in such an improvement constitutes the proximate cause of the injury or death for which it is proposed to bring action.

Section 5. As used in this act, the term "person" shall mean an individual, corporation, partnership, business trust, unincorporated organization, association, professional association or joint stock company.

Section 6. All acts or parts of acts are repealed in so far as they are inconsistent herewith.

Section 7. This act shall take effect July 1, 1966.

APPROVED—The 22d day of December, A. D. 1965.

WILLIAM W. SCRANTON

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No. 470

AN ACT

SB 675

Amending the act of July 11, 1923 (P. L. 1044), entitled "An act to authorize and provide for the transfer and retransfer of person or persons confined in any penitentiary, prison, workhouse, house of correction, or any other institution for adult prisoners, under sentence of law, to some other prison, penitentiary, workhouse, house