

## No. 1981-162

## AN ACT

## HB 1639

Amending the act of August 7, 1936 (Sp.Sess., P.L.106, No.46), entitled, as reenacted and amended, "An act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for the setting off of benefits; imposing certain charges upon the Commonwealth; providing for appeals; and conferring certain powers on municipalities, counties, and townships, and the Department of Highways," further providing for contracts.

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

Section 1. Section 10, act of August 7, 1936 (Sp.Sess., P.L.106, No.46), referred to as the Flood Control Law, reenacted and amended March 10, 1937 (P.L.43, No.18) and amended October 4, 1978 (P.L.1035, No.233), is amended to read:

Section 10. Contracts and Acquisition of Property.—All work of any character whatever performed by the board under the authority of this act, except as hereinafter provided, in connection with any State public flood control works and improvements, involving an expenditure of more than ~~[two thousand five hundred dollars]~~ *four thousand dollars*, shall be performed under written contract let by the board to the lowest responsible bidder after due advertisement as prescribed by the board; except, however, that the board may, with the approval of the Governor, enter into contracts or agreements, without advertisement, with any person, corporation or municipality, covering the removal or relocation of gas, water, and telephone, telegraph, electric light, and electric power lines, highways, railroads, or other facilities, and providing therein for said removal or relocation by the person, corporation or municipality owning such facility. The board may, with the approval of the Governor, acquire any necessary easements and rights-of-way and may pay all costs and damages necessary, arising from and incidental to said removal or relocation. Payment shall be made from the General Fund Appropriations for Flood Control Projects.

The board may sell, lease, or otherwise dispose of all property, real, personal or mixed, acquired under the provisions of this act, not needed by the Commonwealth for reservoir or flood control purposes, subject to the approval of the Governor. The moneys received through such sale, lease or other disposition shall accrue to the General Fund.

Every contract for the construction, reconstruction, alteration, repair, improvement or maintenance of public works shall comply with the provisions of the act of March 3, 1978 (P.L.6, No.3), known as the "Steel Products Procurement Act."

Section 2. This act shall take effect in 60 days.

APPROVED—The 22nd day of December, A. D. 1981.

DICK THORNBURGH