

AN ACT

Ratifying, confirming and validating transactions by boards of school directors involving defects and errors of law, but where there was no fraud, corruption, dishonesty, or conspiracy to violate the law; and exonerating school directors from surcharge in such cases.

Public Schools.

Defective or illegal orders for payments from school funds.

Section 1. Be it enacted, &c., That whenever heretofore any board of school directors, or any officers thereof, shall have issued, or authorized the issue, or executed any school orders for payments from the school funds of the school district, which orders were charged against the proper classes of expenditures in the financial account book of the district and lists thereof, showing the classes against which they were charged, were forwarded to the treasurer of the school district with the orders after they had been drawn and executed, but where said orders did not state on their faces, respectively, the particular classes of expenditures of the annual school budget upon which said orders were drawn, as required by law, and where, heretofore, any such board of school directors has authorized expenditures to be made and to be charged against a budget allocation in excess of the amount of the fund allocated thereto in the annual budget and without transferring to such budget allocation, as required by law, sufficient funds to cover such expenditures, and where school orders for such expenditures were drawn and executed by the officers and payments thereon made, and where, heretofore, any such board of school directors, or any officers thereof, shall have incurred a temporary loan, not in excess of the limitation prescribed by law, without formal action or authorization or without entering into the minutes of the board an authorization for such temporary loan, and where the officers of such board of school directors have executed a note for such temporary loan and received the amount or proceeds thereof and paid the same into the treasury of the school district and, by subsequent action duly entered in the minutes, the board of school directors ratified such temporary loan by a vote of not less than two-thirds of the members of such board of school directors; or where any board of school directors, or the officers thereof, have heretofore issued and executed orders for payments for supplies, services, salaries, expenses, compensation for attendance at teachers' institutes, and payments to the State Employes' Retirement Board, which supplies and services were actually received by the school district and which salaries, expenses, compensation and payments were actually due, but such orders were executed and payments thereon made before action was taken by the board of school directors duly

authorizing or ratifying the same as required by law; or where any board of school directors of any school district has heretofore taken any action, performed any duty, or exercised any power, pursuant to the affirmative vote of a majority or greater proportion of all the members of such board, and the secretary of the board or the board did not actually record on the minutes of the board the vote showing how each member voted as required by law,—then in each and every case the transactions of the board of school directors, or the officers thereof, heretofore enumerated shall be and the same are hereby ratified, confirmed and validated, notwithstanding any defects or errors of law in the transactions of such board of school directors and the officers thereof, if such transactions by the board of school directors and the officers thereof did not evidence any fraud, corruption, misappropriation, dishonesty, manipulation of funds redounding to the benefit of the members of the board of school directors, or any one else, or any conspiracy to violate the provisions of the school laws of the Commonwealth, and the school district has not suffered any pecuniary loss as the result of such transactions, but has received full value and a fair return for all moneys expended. No board of school directors, or any members or officers thereof, shall be subject to surcharge for the transactions and expenditures validated by this act.

Vote of members not properly recorded.

Validation of transactions in the absence of fraud, etc.

Directors not to be surcharged.

APPROVED—The 1st day of May, A. D. 1931.

GIFFORD PINCHOT

No. 57

AN ACT

Fixing the number, terms, and compensation of directors and auditors of the poor district of "The Directors of the Poor of Jenkins Township, Pittston Borough and Pittston Township;" providing for their appointment by the court of common pleas of Luzerne County en banc; conferring powers on the court of common pleas of Lackawanna County to designate directors and auditors to be appointed from Lackawanna County; terminating the terms of directors and auditors in office; fixing the salaries of the secretary and treasurer; and repealing inconsistent acts of Assembly.

Section 1. Be it enacted, &c., That the board of directors of the poor district, known as "The Directors of the Poor of Jenkins Township, Pittston Borough and Pittston Township," shall consist of five directors from the territory included in said poor district—three from Luzerne County, and two from Lackawanna County. Those from Lackawanna County to be desig-

Poor District.

Jenkins Township, etc.

Number of directors.

Designation and appointment.