

Section 2. The provisions of this act shall become effective immediately upon final enactment.

APPROVED—The 7th day of May, A. D. 1943.

EDWARD MARTIN

No. 116

AN ACT

To further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, one hundred seventy-seven), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing that under war time conditions, the Department of Property and Supplies may make certain purchases and may authorize any department, board or commission to make certain purchases without advertising or competitive bidding; further providing as to the supervision of the Department of Property and Supplies over the construction and alteration of buildings and over the plans and specifications therefor; relieving the Department of Property and Supplies from the duty of supervising the operation of mechanical and electrical equipment used in connection with the operation of State institutions or other State buildings; and authorizing departments, boards and commissions to make certain purchases of repair parts, to contract for public utility services, to rent machinery and equipment, to employ labor on a temporary basis under certain conditions, to subscribe to certain publications, and to take memberships in certain organizations and societies.

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

Section 507, act of April 9, 1929, P. L. 177, as last amended by act of June 21, 1937, P. L. 1865, further amended by adding two new paragraphs.

Section 1. Section five hundred seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, one hundred seventy-seven), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the

boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as last amended by the act, approved the twenty-first day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, one thousand eight hundred sixty-five), is hereby further amended by adding at the end thereof, two new paragraphs to read as follows:

Section 507. Purchases.—

\* \* \* \* *Whenever a state of war exists between the United States and any other nation or nations and brings about commercial conditions which make it impossible, because of continually changing prices, to obtain contracts for the furnishing of commodities, supplies and equipment necessary for the proper functioning of the departments, boards or commissions, the Department of Property and Supplies is hereby empowered to purchase and to authorize, in writing, any department, board or commission to purchase, within reasonable limits, in any locality in the open market, at the lowest and most advantageous prices, commodities, supplies and equipment necessary for the proper operation of the State Government without advertising or inviting bids, when commercial conditions are such that make it impossible to secure competitive bids, until such time\* as the state of war shall cease and normal market conditions shall be restored.*

*Notwithstanding any of the foregoing provisions of this section, any department, board or commission may:*

(1) *Purchase repairs or repair parts for its equipment from the manufacturer of such equipment, or from the manufacturer's authorized dealer;*

(2) *Contract for services of the public utility companies;*

(3) *Rent machinery and other equipment and devices;*

(4) *Employ professional or skilled labor, on a temporary basis, in instances where the Department of*

\* "times" in original.

*Property and Supplies does not have an applicable contract, but all such employment shall be approved by the Governor except in the case of a State institution, when it shall be approved by the head of the department having supervision over the institution;*

(5) *Subscribe to periodicals, magazines or newspapers, or purchase books or take memberships in independent organizations or societies having related functions, but all such memberships shall be approved by the Governor.*

Section 2. Subsections (a), (c) and (d) of section five hundred eight of said act, as last amended by the act, approved the twenty-first day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, one thousand eight hundred sixty-five), are hereby further amended to read as follows:

Section 508. Erection, Repairs, or Alterations of and Additions to Buildings.—(a) No administrative department, except the Department of Property and Supplies, and no administrative board or commission, shall, except as in this act otherwise specifically provided, erect or construct, or contract for the erection or construction of, any new building, or make, or contract for making, any alterations or additions to an existing building, involving an expenditure of more than four thousand dollars (\$4,000), and, in any case in which any other department or any board or commission is by this act authorized to erect or construct buildings, or make alterations or additions [such erection or construction shall be under the complete supervision, and shall be the responsibility of the Department of Property and Supplies] *involving an expenditure of less than four thousand dollars (\$4,000), such erection or construction may be generally supervised by the Department of Property and Supplies.*

(c) All plans and specifications for new buildings, and for alterations or additions to existing buildings, *involving an expenditure of more than four thousand dollars (\$4,000), shall be subject to the approval of the Department of Property and Supplies, and, in addition thereto, shall also be subject to the approval of the department, board, or commission using or intending to use the building being erected or constructed, or to which an alteration or addition is being made, with respect to the type and general character of the proposed building, the floor layouts, radiation, natural light, artificial illumination, ventilation, medical equipment, or other equipment of a nature peculiar to the building, for which the plans and specifications are being prepared. In the case of buildings used by or for the use of departmental administrative boards or commissions, the plans and specifications shall also be*

approved, with respect to the above mentioned matters, by the department with which the board or commission is connected.

(d) Buildings may be erected or constructed, or alterations or additions made, wholly or partially by the labor of employes or inmates or patients of State institutions, if, in the judgment of the agency responsible for the management of such institutions, [and of the Department of Property and Supplies] the work can be properly and safely done by such employes, inmates, or patients. In [such] cases *involving an expenditure of more than four thousand dollars (\$4,000)*, the Department of Property and Supplies, or outside supervising engineer or engineering concern, as it may approve, shall have full and direct responsibility for the management of the work, and the department, board or commission using or intending to use the building shall have complete charge of such employes, inmates, or patients.

Section 3. Clause (k) of section two thousand four hundred two of said act, as added to said section by the act, approved the twenty-first day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, one thousand eight hundred sixty-five), and as relettered (l) by the act, approved the twenty-first day of July, one thousand nine hundred forty-one (Pamphlet Laws, four hundred twenty-nine), is hereby amended to read as follows:

Section 2402. Grounds, Buildings and Monuments in General.—The Department of Property and Supplies shall have the power, and its duty shall be:

• • • • •

(l) To establish standards for [and supervise generally the operation of] all mechanical and electrical equipment used in connection with the operation of any State institution or other State building.

Section 4. Section two thousand four hundred three of said act, as last amended by the act, approved the twenty-first day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, one thousand eight hundred sixty-five), is hereby further amended, by adding at the end thereof, a new paragraph to read as follows:

Section 2403. Standards and Purchases.—

• • • • •

*Whenever a state of war exists between the United States and any other nation or nations and brings about commercial conditions which make it impossible, because of continually changing prices, to obtain contracts for the furnishing of commodities, supplies and equipment necessary for the proper functioning of the departments,*

*boards or commissions, the Department of Property and Supplies is hereby empowered to purchase and to authorize, in writing, any department, board or commission to purchase, within reasonable limits, in any locality in the open market, at the lowest and most advantageous prices, commodities, supplies and equipment necessary for the proper operation of the State Government without advertising or inviting bids for the same, when commercial conditions are such that make it impossible to secure competitive bids, until such time\* as the state of war shall cease and normal market conditions shall be restored.*

Act effective immediately.

Section 5. The provisions of this act shall become effective immediately upon final enactment.

APPROVED—The 7th day of May, A. D. 1943.

EDWARD MARTIN

\* "times" in original.

No. 117

AN ACT

To further amend sections\* 601, 602 and 605 of, and to add sections 601.1, 601.2 and 601.3 to the act, approved the fourth day of May, one thousand nine hundred twenty-seven (Pamphlet Laws, five hundred nineteen), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," changing and further providing procedure to create, change or establish boundaries of wards in boroughs; imposing additional duties on borough councils; providing in certain cases for local option; and terminating unfinished proceedings heretofore commenced for such purposes.

The General Borough Act.

Sections 601, 602 and 605, act of May 4, 1927, P. L. 519, amended; sections 601.1, 601.2 and 601.3 added to said act.

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

Section 1. Section 601 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (Pamphlet Laws, five hundred nineteen), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," is hereby amended to read as follows:

Section 601. Power of Court to Erect and Change Wards and to Alter and Establish Lines.—[The] *Upon certification from the council of any borough, of a resolution adopted by the said council, in favor of any of the following changes, and petitioning the court to make such change or changes, or upon a certified report of the results of any election held in any borough, under the provisions of this article, showing that the vote of the electors of such borough was in favor of any of the fol-*

\* "Section" in original.