

No. 75  
AN ACT

Designating the counties responsible for the upkeep of certain convicts in penal or correctional institutions.

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

Fixing county responsibility in certain prisoner cases.

Section 1. Where a person is confined in a State penal or correctional institution either by virtue of his sentence pursuant to his conviction or plea of guilty to a criminal charge, or by virtue of a commitment issued by any court of the Commonwealth having jurisdiction, and while so confined any such person commits a criminal offense and is subsequently convicted or enters a plea of guilty thereto, the expenses of keeping such person in any State penal or correctional institution pursuant to such subsequent conviction or plea of guilty shall be borne by the county in which the person was originally convicted.

A person confined in a State penal institution who commits another offense for which he is further confined, is the charge of the county which originally sentenced him.

Section 2. All acts and parts of acts are repealed in so far \*as they are inconsistent herewith.

General repeal.

Section 3. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 17th day of May, A. D. 1957.

GEORGE M. LEADER

No. 76  
AN ACT

Amending the act of May 4, 1927 (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," regulating contract procedure and advertising for bids.

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

The Borough Code.

Section 1. Subsection (a) and the first paragraph of subsection (d) of section 1316, act of May 4, 1927 (P. L. 519), known as "The Borough Code," reenacted and amended July 10, 1947 (P. L. 1621), and amended July 19, 1951 (P. L. 1026), is amended to read:

Subsection (a) and first paragraph of subsection (d), Section 1316, act of May 4, 1927, P. L. 519, reenacted and amended July 10, 1947, P. L. 1621, and amended July 19, 1951, P. L. 1026, further amended.

Section 1316. Regulation of Contracts.—(a) All contracts or purchases in excess of [seven hundred fifty] *one thousand* dollars, except those hereinafter mentioned, shall not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation, published or circulating in the county in which the borough is situated, at least three

\* "as" omitted in original.

times at intervals of not less than three days where daily newspapers of general circulation are available for such publication, and in case of weekly newspapers, shall be published once a week for two successive weeks. The first advertisement shall be published not less than ten days prior to the date fixed for the opening of bids. The amount of the contract shall in all cases, whether of straight sale price, conditional sale, bailment lease, or otherwise, be the entire amount which the borough pays to the successful bidder \*or his assigns in order to obtain the services or property, or both, and shall not be construed to mean only the amount which is paid to acquire title or to receive any other particular benefit or benefits of the whole bargain.

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(d) The contracts or purchases made by council, involving an expenditure of over [seven hundred fifty] *one thousand* dollars, which shall not require advertising or bidding, as hereinbefore provided, are as follows:

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Section 1316.1  
of the act, added  
July 19, 1951,  
P. L. 1026,  
further amended.

Section 2. Section 1316.1 of the act, added July \*\*19, 1951 (P. L. 1026), is amended to read:

Section 1316.1. Evasion of Advertising Requirements.—No member or members of council shall evade the provisions of section one thousand three hundred sixteen as to advertising for bids, by purchasing or contracting for services and personal properties piecemeal for the purpose of obtaining prices under [seven hundred and fifty] *one thousand* dollars upon transactions, which transactions should, in the exercise of reasonable discretion and prudence, be conducted as one transaction amounting to more than [seven hundred and fifty] *one thousand* dollars. This provision is intended to make unlawful the evading of advertising requirements by making a series of purchases or contracts, each for less than the advertising requirement price, or by making several simultaneous purchases or contracts, each below said price, when, in either case, the transactions involved should have been made as one transaction for one price. Any members of council who so vote in violation of this provision and who know that the transaction upon which they so vote is or ought to be a part of a larger transaction and that it is being divided in order to evade the requirements as to advertising for bids, shall be jointly and severally subject to surcharge for ten percentum of the full amount of the contract or purchase. Whenever it shall appear that a member of council may

\* "of" in original.

\*\* "10" in original.

have voted in violation of this section but the purchase or contract on which he so voted was not approved by council, this section shall be inapplicable.

APPROVED—The 17th day of May, A. D. 1957.

GEORGE M. LEADER

No. 77

AN ACT

To amend the act approved the fifth day of July, one thousand nine hundred forty-seven (Pamphlet Laws 1335), entitled "An act to provide for an inventory of existing hospitals; for a survey of the need for additional hospital facilities; and for the development and administration of a hospital construction program, which will in conjunction with existing facilities, afford hospitals adequate to serve all people of the State; and appropriating money; establishing methods of administration and control; providing for compliance with the requirements of the Federal Hospital Survey and Construction Act and regulations thereunder authorizing the acceptance and expenditure of Federal funds in accordance with such requirements; and placing additional duties upon the Department of Welfare," by requiring that non-Federal funds be available before application shall be made for hospital construction projects to be owned or operated by the State.

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

Section 1. Section thirteen of the act of July 5, 1947 (Pamphlet Laws 1335), known as the "Pennsylvania Hospital Survey and Construction Act," is amended to read as follows:

Pennsylvania  
Hospital Survey  
and Construc-  
tion Act.

Section 13, act  
of July 5, 1947.  
P. L. 1335,  
amended.

Section 13. Construction; Projects; Applications.—Applications for hospital construction projects for which Federal funds are requested, shall be submitted to the Secretary and may be submitted by the State, or any political subdivision thereof, or by any public or non-profit agency, authorized to construct and operate a hospital: *Provided, however, That no such applications for hospital construction projects to be owned or operated by the State shall be submitted by the State unless all funds required for such construction, other than Federal funds, shall first have been made available by appropriation for that expressed purpose, or by allocation by the General State Authority pursuant to an act authorizing such allocation for that expressed purpose.* Each application for a construction project shall conform to Federal and State requirements.

Section 2. This act shall become effective immediately upon its enactment.

Act effective  
immediately.

APPROVED—The 17th day of May, A. D. 1957.

GEORGE M. LEADER