

finer recovered and received; and how, and by whom, the costs in such cases shall be paid," permitting settlement of penalties for violations on field receipts.

Bullfrogs, tadpoles and terrapin.

Act of May 29, 1917, P. L. 322, amended by adding a new section 9.

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

Section 1. The act of May 29, 1917 (P. L. 322), entitled "An act to give protection, and to regulate the catching or taking or having in possession, within this Commonwealth, of any bullfrogs, tadpoles, and terrapin; and providing penalties and punishments for violation of any of the provisions of this act, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the penalties and fines recovered and received; and how, and by whom, the costs in such cases shall be paid," is amended by adding, at the end thereof, a new section to read:

Violations may be acknowledged and penalty paid.

*Section 9. A person charged with violating any provision of this act may sign an acknowledgment of the offense committed, either before or after the beginning of prosecution, and pay to any salaried officer of the Pennsylvania Fish Commission the penalty in full as fixed by the act to which this is an amendment, together with costs accrued to that date. The printed receipt therefor, which shall in every instance bear the signature of the Executive Director of the Pennsylvania Fish Commission, shall be full evidence of full satisfaction of the offense committed.*

Receipt to be issued.

Section 2. This act shall take effect immediately.

Act effective immediately.

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

GEORGE M. LEADER

## No. 82

### AN ACT

Amending the act of June 24, 1931 (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," regulating contract procedure and advertising for bids.

The First Class Township Code.

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

Subsections (a) and (d), section 1802, and section 1802.1, act of June 24, 1931, P. L. 1206, reenacted and amended May 27, 1949, P. L. 1955, amended or added May 10, 1951, P. L. 255, further amended.

Section 1. Subsections (a) and (d) of section 1802 and section 1802.1, act of June 24, 1931 (P. L. 1206), known as "The First Class Township Code," reenacted and amended May 27, 1949 (P. L. 1955), and amended or added May 10, 1951 (P. L. 255), are amended to read:

Section 1802. General Regulations Concerning Contracts.—(a) All contracts or purchases made by any township, involving the expenditure of over [seven hundred fifty] *one thousand* dollars, except those hereinafter mentioned, shall be in writing, and shall be made only after notice by the secretary, published, in one news-

paper of general circulation, published or circulating in the county in which the township is situated, at least three times at intervals of not less than three days where daily newspapers of general circulation are employed for such publication, or in case weekly newspapers are employed then the notice 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. All plans and specifications shall be on file at least ten days in advance of opening 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 township 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 the commissioners involving an expenditure of over [seven hundred fifty] *one thousand* dollars, which shall not require advertising or bidding, as hereinbefore provided, are as follows:

(1) Those for maintenance, repairs or replacements for water, electric light, or other public works of the township, provided they do not constitute new additions, extensions or enlargements of existing facilities and equipment but a bond may be required by the commissioners as in other cases of work done.

(2) Those made for improvements, repairs and maintenance of any kind made or provided by any township through its own employes: Provided, however, That this shall not apply to construction materials used in a street improvement.

(3) Those where particular types, models or pieces of new equipment, articles, apparatus, appliances, vehicles or parts thereof are desired by the commissioners which are patented and manufactured products.

(4) Those involving any policies of insurance or surety company bonds; those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission; those made with another political subdivision or a county; the Commonwealth of Pennsylvania; the Federal Government; any agency of the Commonwealth or the Federal Government or any municipal authority, including the sale, leasing or loan of any supplies or materials by the Commonwealth or Federal Government or their agencies. But the price thereof shall not be in excess of that fixed by the Commonwealth, the Federal Government or their agencies.

(5) Those involving personal or professional services.

Section 1802.1. Evasion of Advertising Requirements.—No commissioner or commissioners shall evade the provisions of section one thousand eight hundred two as to advertising for bids, by purchasing or contracting for services and personal properties piecemeal for the purpose of obtaining prices under [seven hundred 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 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 commissioners 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 per centum of the full amount of the contract or purchase. Whenever it shall appear that a commissioner may have voted in violation of this section, but the purchase or contract on which he so voted was not approved by the board of commissioners, this section shall be inapplicable.

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

GEORGE M. LEADER

No. 83

AN ACT

Amending the act of May 1, 1933 (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," regulating contract procedures and advertising for bids.

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

Section 1. Sections 802 and 802.1, act of May 1, 1933 (P. L. 103), known as "The Second Class Township Code," reenacted and amended July 10, 1947 (P. L. 1481), amended and added May 24, 1951 (P. L. 370), are amended to read:

Section 802. Letting Contracts.—Each township shall have the power to make, to authorize, and to ratify, expenditures for lawful purposes from funds available

The Second Class Township Code.

Sections 802 and 802.1, act of May 1, 1933, P. L. 103, reenacted and amended July 10, 1947, P. L. 1481, amended and added May 24, 1951, P. L. 370, further amended.