

No. 121

AN ACT

Amending the act of June 23, 1931 (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing appropriations for handling storage and distribution of surplus foods.

The Third Class
City Code.

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

Section 2403, act
of June 23, 1931,
P. L. 932,
reenacted and
amended June
28, 1951, P. L.
662, amended by
adding a new
clause 62.

Section 1. Section 2403, act of June 23, 1931 (P. L. 932), known as "The Third Class City Code," reenacted and amended June 28, 1951 (P. L. 662), is amended by adding, after clause *61, a new clause to read:

Section 2403. Specific Powers.—In addition to other powers granted by this act, the council of each city shall have power, by ordinance:

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***62. Appropriations for Handling, Storage and Distribution of Surplus Foods.—The council of any city to which this act applies may appropriate from city funds moneys for the handling, storage and distribution of surplus foods obtained either through a local, State or Federal agency.*

All appropriations of moneys heretofore made by the council of any city for the handling, storage and distribution of surplus foods obtained, either through a local, State or Federal agency, are hereby validated.

APPROVED—The 30th day of June, A. D. 1959.

DAVID L. LAWRENCE

No. 122

AN ACT

Amending the act of May 28, 1937 (P. L. 955), entitled, as amended, "An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of obligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning,

* "60" in original.

** "61" in original.

sanitary, and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Planning Board, and certain other State officers and departments," increasing the minimum amount for which the authorities may contract or purchase without bids.

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

Section 1. Subsections (a) and (b) of section 11, act of May 28, 1937 (P. L. 955), known as the "Housing Authorities Law," are amended to read:

Section 11. Awards of Contracts; Completion Bond; Additional Bond for Protection of Materialmen and Others.—

(a) Whenever the estimated cost of any construction, erection, installation, completion, alteration, repair of, or addition to, any project subject to the control of any Authority shall exceed [five hundred (\$500)] *one thousand (\$1000)* dollars, it shall be the duty of said Authority to have such work performed pursuant to a contract awarded to the lowest responsible bidder, after advertisement for bids. Every such contract shall contain a provision obligating the contractor to the prompt payment of all material furnished, labor supplied or *performed, rental for equipment employed, and services rendered by public utilities in or in connection with the prosecution of the work, whether or not the said material, labor, equipment or service enter into and become component parts of the work or improvement contemplated. Such provision shall be deemed to be included for the benefit of every person, copartnership, association or corporation who, as subcontractor or otherwise, has furnished material, supplied or performed labor, rented equipment or services in or in connection with the prosecution of the work as aforesaid, and the inclusion thereof in any contract shall preclude the filing by any such person, copartnership, association or corporation of any mechanics' lien claim for such **material, labor or rental of equipment.

(b) Whenever the estimated cost of any purchase of supplies, materials or equipment or the rental of any equipment, whether or not the same is to be used in connection with the construction, erection, installation, completion, alteration, repair of, or addition to, any project subject to the control of any Authority, shall exceed [five hundred (\$500)] *one thousand (\$1000)* dollars, it shall be the duty of such Authority to have such purchase or rental made pursuant to a contract awarded to the lowest responsible bidder, after advertisement for

Housing Authorities Law.

Subsections (a) and (b) section 11, act of May 28, 1937, P. L. 955, amended.

Rules as to awarding of contracts and conditions concerning bonds enumerated.

* "performed" in original.

** "material" in original.

bids, such advertisement to be inserted in a newspaper of general circulation within the county in which the Authority operates.

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APPROVED—The 30th day of June, A. D. 1959.

DAVID L. LAWRENCE

No. 123

AN ACT

Amending the act of July 24, 1913 (P. L. 965), entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation hereof," regulating the sale and delivery of vegetable and flower seeds.

Commodities

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

Section 2, act of July 24, 1913, P. L. 965, amended January 14, 1952, P. L. 1991 and July 25, 1953, P. L. 594, further amended by adding subsection (6).

Section 1. Section 2, act of July 24, 1913 (P. L. 965), entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation hereof," amended January 14, 1952 (P. L. 1991) and July 25, 1953 (P. L. 594), is amended by adding, after subsection (5), a new subsection to read:

Section 2. * * *

(6) *Vegetable and flower seeds for seeding purposes shall be sold by avoirdupois net weight. If vegetable or flower seeds are sold in package form, the contents of which exceed one-quarter ounce avoirdupois net weight, the package shall be marked upon its outer surface with the net weight of the seeds. *Packaged vegetable or flower seeds weighing one-quarter ounce or less avoirdupois net weight may be sold without showing the net weight.*

Effective date.

Section 2. This act shall take effect January 1, 1960.

APPROVED—The 30th day of June, A. D. 1959.

DAVID L. LAWRENCE

No. 124

AN ACT

Amending the act of May 2, 1925 (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," authorizing artificial propagation licensees to kill frogs and tadpoles.

* "Package" in original.