

Section 12. This act shall become effective the first day of February, one thousand nine \*hundred fifty-two [and shall remain in force until and including the thirty-first day of May, one thousand nine \*hundred sixty-one].

Section 4. This reenacting and amending act shall take effect June 1, 1961, but shall not apply to any documents made, executed and delivered prior to February 1, 1952.

Effective date of act and application of act.

APPROVED—The 9th day of February, A. D. 1961.

DAVID L. LAWRENCE

No. 10

AN ACT

Amending the act of April 18, 1949 (P. L. 604), entitled "An act to promote the welfare of the people of the Commonwealth; creating a State Highway and Bridge Authority as a body corporate and politic with power to construct, reconstruct, improve, maintain, equip, furnish, and operate highway and bridge projects, and roadside rests, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Highways to grant, assign, convey, or lease to the Authority lands, easements, or rights of way of the Commonwealth and interests therein, and to acquire lands therefor; authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized; granting the right of eminent domain; empowering said Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act; and making an appropriation," increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor.

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

State Highway and Bridge Authority Act.

Section 1. Subsection (i) of section 4, act of April 18, 1949 (P. L. 604), known as the "State Highway and Bridge Authority Act," amended May 31, 1956 (P. L. 1908), is amended to read:

Subsection (i), section 4, act of April 18, 1949, P. L. 604, amended May 31, 1956, P. L. 1908, further amended.

Section 4. Purposes and Powers; General.—The Authority is created for the purpose of constructing, reconstructing, improving, equipping, furnishing, main-

\* "hunderd" in original.

taining and operating State highways, bridges, viaducts, toll bridges, tunnels, traffic circles on State highways, maintenance sheds, offices and garages and roadside rests (any and all of the foregoing being herein called "projects"). The Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes, including, but without limiting the generality of the foregoing, the following rights and powers:

\* \* \* \* \*

(i) To borrow money, make and issue negotiable notes, bonds and other evidences of indebtedness or obligations (herein called "bonds") of the Authority, not exceeding eighty million dollars (\$80,000,000) in the aggregate, and, in addition, whenever during the 1955-1957 and 1957-1959 biennia, the Federal government apportions money to the Commonwealth for the construction, reconstruction and improvement, inclusive of necessary bridges and tunnels of the federally-aided highways, and the amount of money so apportioned necessitates the allocation of Commonwealth funds in excess of the amount allocated during the 1953-1955 biennium not including any amounts allocated to match Federal funds from previous biennia, the Authority may issue additional bonds of the Authority, not exceeding forty million dollars (\$40,000,000), in such amount as the Secretary of Highways shall certify as necessary for defraying the cost of the construction of such projects in an amount not exceeding the difference between the allocation of the Commonwealth in the 1953-1955 biennium and the allocation required in the 1955-1957 and 1957-1959 biennia to obtain the maximum of such Federal aid, and to secure the payment of such bonds, or any part thereof, by pledge or deed of trust of all or any of its revenues, rentals and receipts, and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such bonds, whether issued or to be issued, as the Authority shall deem advisable and, in general, to provide for the security of said bonds and the rights of the holders thereof:

*In order that the Commonwealth of Pennsylvania may avail itself of the provisions of the act of August 27, 1958 (72 Stat. 885), Title 23, providing for the acceleration of the construction of the Interstate System the Authority is hereby empowered to borrow an additional sum of money not in excess of three hundred million dollars (\$300,000,000) at a rate not to exceed fifty million dollars (\$50,000,000) in any one year and to make and issue negotiable notes, bonds and other evidences of indebtedness or obligations (herein called "bonds") of the Authority for the construction of the Interstate*

*System and the Authority is empowered to secure the payment of such bonds or any part thereof by pledge or deed of trust of all or any of its revenues, rentals and receipts and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such bonds, whether issued or to be issued, as the Authority shall deem advisable and, in general, to provide for the security for said bonds and the rights of the holders thereof: Provided, That no work on any bridge, tunnel or public highway shall be commenced under these provisions until the Secretary of Highways certifies to the Governor that traffic conditions have created a need for said project.*

For the purposes of this subsection (i), the term "cost of the construction" of any project or projects shall embrace the following:

(1) Obligations incurred for labor, and to contractors, builders and materialmen, in connection with the construction of any such project or projects, for machinery and equipment, and for the restoration of property damaged or destroyed in connection with such construction;

(2) The cost of acquiring by purchase any such project or projects and the cost of acquiring by purchase and the amount of any award or final judgment in any proceeding to acquire by condemnation such lands, property rights, rights of way, franchises, easements and other interests, as may be deemed necessary or convenient in connection with the acquisition or construction of any such project or projects, options and partial payments thereon, and the amount of any damages incident to or consequent upon such acquisition or construction;

(3) The cost of acquiring any property, real, personal or mixed, tangible or intangible, or any interest therein, necessary or desirable for the construction of any such project or projects;

(4) The principal and interest requirements upon any such bonds for the period during which, and to the extent which, the rentals received by the Authority from such project or projects shall be insufficient for the payment thereof, the fees and expenses of the fiscal agent of the Authority in respect of such bonds during any such period, and the reasonable fees and expenses of any paying agents for such bonds during such period;

(5) The taxes or other municipal or governmental charges (if any) lawfully levied or assessed during construction upon any such project or projects and premiums on insurance (if any) in connection with any such project or projects during construction;

(6) The cost and expenses of preliminary investigations to determine the feasibility or practicability of

constructing any such project or projects, and fees and expenses of engineers for making preliminary studies, surveys, reports, estimates of costs and of revenues, and other estimates, and for preparing plans and specifications and supervising construction as well as for the performance of all other duties of engineers in relation to such construction or the issuance of bonds therefor; and

(7) Expense of administration properly chargeable to any such project or projects during construction, legal expenses and fees, financing charges, costs of audits and of preparing and issuing such bonds, and all other items of expense not elsewhere in this subsection specified, incident to the construction of any such project or projects; the financing thereof and the acquisition of lands, property rights, rights of way, franchises, easements and interest therefor, including abstracts of title, title insurance, title opinions, costs of surveys, reports and other expenses in connection with such acquisition.

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Act effective immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 9th day of February, A. D. 1961.

DAVID L. LAWRENCE

No. 11  
AN ACT

Amending the act of March 10, 1949 (P. L. 30), \*entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," increasing room rentals at State Colleges and providing for the disposition of the increased rentals.

Public School Code of 1949.

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

Section 2008, act of March 10, 1949, P. L. 30, amended November 30, 1959, P. L. 1602, further amended.

Section 1. Section 2008, act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949," amended November 30, 1959 (P. L. 1602), is amended to read:

Section 2008. Board and Tuition.—The cost of boarding and tuition shall be fixed by the trustees of the several \*\*State \*\*\*[Teachers'] Colleges with the approval of the Superintendent of Public Instruction. No difference in the charge for board and tuition shall be made in favor of any students pursuing similar studies.

\* "entitled" in original.  
\*\* Bracket deleted.  
\*\*\* Bracket inserted.