

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1474 Session of
1985

INTRODUCED BY BROUJOS, BURNS, MRKONIC, BORTNER, STABACK,
PISTELLA, KASUNIC, HALUSKA, BOOK, LUCYK, COLE, CALTAGIRONE,
PICCOLA, JACKSON, FOX, GAMBLE, BELFANTI, FRYER, BURD, VEON,
DOMBROWSKI, D. R. WRIGHT, DeLUCA, OLASZ, SEVENTY AND
GREENWOOD, JUNE 18, 1985

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
OCTOBER 7, 1986

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employes of certain departments, boards and
20 commissions shall be determined," further providing for the
21 payment of gratuities to children of certain veterans; AND
22 PROVIDING FOR ALTERNATE SECURITY FOR PERFORMANCE OF
23 CONTRACTS.

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

26 Section 1. Section 1411(e) of the act of April 9, 1929

1 (P.L.177, No.175), known as The Administrative Code of 1929,
2 added December 30, 1959 (P.L.2082, No.767), is amended to read:

3 Section 1411. State Veterans' Commission.--The State
4 Veterans' Commission shall have the power, and its duty shall
5 be:

6 * * *

7 (e) To certify for payment gratuities for the children,
8 between the ages of sixteen and [twenty-one years, of totally
9 disabled veterans and of soldiers, marines, female clerks,
10 yeoman (female), or members of the Enlisted Nurse Corps of the
11 United States, who die or have died of Spanish-American War or
12 World War I. service connected disabilities, and of totally
13 disabled veterans and of members of the Armed Forces of the
14 United States and of women's organizations officially connected
15 therewith, who die or have died of World War II., or the armed
16 conflict in Korea service connected disabilities as certified
17 from Veterans Administration records] twenty-three years, of
18 honorably discharged veterans who have been certified by the
19 United States Veterans' Administration as having war time
20 service-connected disabilities rated as totally and permanently
21 disabled or who have died of war service-connected disabilities.
22 Such children must have lived in the Commonwealth of
23 Pennsylvania for five years immediately preceding the date upon
24 which the application was filed. Certification by the State
25 Veterans' Commission shall be made when the children meet the
26 following requirements:

27 (1) As coming within the class of children described above,

28 (2) As attending any [State or State-aided] educational or
29 training institution of a secondary or college grade or other
30 institution of higher education, business school, trade school,

1 hospital providing training for nurses school, or institution
2 providing courses in beauty culture, art, radio or undertaking
3 or embalming or such other educational training within [this
4 Commonwealth] the United States as approved by the State
5 Veterans' Commission, and

6 (3) As being unable, without such gratuity, to pursue his or
7 her education or training.

8 Payments not exceeding [two hundred dollars (\$200)] five
9 hundred dollars (\$500) per term or semester per child shall be
10 made to such institution upon the submission by them of proof
11 that the applicant is a full-time student and that bills have
12 been incurred or contracted for matriculation fees and other
13 necessary fees, tuition, board, room rent, books and supplies
14 for such children in a definite amount for the school year. Such
15 proof shall be submitted to the State Veterans' Commission which
16 shall attach the same to the requisitions prepared for payments
17 out of appropriations made for such purpose: Provided, however,
18 That payments per term or semester per child are adjusted so
19 that total payments to such institutions do not exceed the
20 amount of the appropriation.

21 When a child within the class of children eligible to receive
22 a gratuity authorized by this section is completing an
23 educational or training course, and becomes [twenty-one] twenty-
24 three years of age before completing the course, the gratuity
25 may be paid until the course is completed: Provided, That
26 gratuities may not be paid for any child for a longer period
27 than four scholastic years and/or after having attained his or
28 her twenty-seventh birthday.

29 SECTION 2. SECTION 2409(J) AND (K) OF THE ACT, AMENDED
30 DECEMBER 19, 1980 (P.L.1333, NO.244), ARE AMENDED AND THE

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1 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

2 SECTION 2409. METHOD OF AWARDING CONTRACTS FOR STATIONERY,
3 PAPER, FUEL, REPAIRS, FURNISHINGS, AND SUPPLIES.--* * *

4 (J) EXCEPT AS HEREINAFTER PROVIDED, NO PROPOSAL FOR ANY
5 CONTRACT SHALL BE CONSIDERED UNLESS SUCH PROPOSAL IS ACCOMPANIED
6 BY A CERTIFIED OR BANK CHECK, TO THE ORDER OF THE STATE
7 TREASURER, IN ONE-FOURTH THE AMOUNT OF THE ESTIMATED CONTRACT,
8 OR BY A BOND OR ALTERNATE SECURITY IN SUCH FORM AND AMOUNT AS
9 MAY BE PRESCRIBED BY THE DEPARTMENT. ANY SUCH BOND OR ALTERNATE
10 SECURITY SHALL BE CONDITIONED FOR THE FAITHFUL PERFORMANCE OF
11 THE TERMS OF THE CONTRACT, IF AWARDED, AND SHALL HAVE AS SURETY
12 ONE SURETY COMPANY AUTHORIZED TO ACT AS SURETY IN THIS
13 COMMONWEALTH, OR TWO INDIVIDUAL SURETIES APPROVED BY THE
14 DEPARTMENT OF JUSTICE.

15 (J.1) IN LIEU OF A BOND TO SECURE A BIDDER'S PERFORMANCE,
16 THE DEPARTMENT IN ITS DISCRETION MAY ACCEPT, AS A SUBSTITUTE
17 THEREFOR, ALTERNATE SECURITY IN THE FORM OF AN ASSIGNMENT OF
18 TIME CERTIFICATES OF DEPOSIT OF BANKS LICENSED BY THE
19 COMMONWEALTH, SECURITIES OF OR THOSE GUARANTEED BY THE UNITED
20 STATES OF AMERICA, THE COMMONWEALTH AND ITS POLITICAL
21 SUBDIVISIONS, OR SHARES OF SAVINGS AND LOAN INSTITUTIONS
22 AUTHORIZED TO TRANSACT BUSINESS IN THIS COMMONWEALTH. IN THE
23 EVENT SUCH ALTERNATE SECURITY IS ACCEPTED, THE BIDDER SHALL BE
24 ENTITLED TO ALL INTEREST OR INCOME EARNED ON SUCH SECURITY AND
25 ALL SUCH SECURITY SHALL BE RETURNED TO THE BIDDER BY THE
26 DEPARTMENT WITHIN SIXTY DAYS AFTER PERFORMANCE.

27 (K) A BIDDER, WHO SHALL HAVE ACCOMPANIED HIS PROPOSAL WITH A
28 CERTIFIED OR BANK CHECK AS AFORESAID, AND TO WHOM A CONTRACT
29 SHALL HAVE BEEN AWARDED, MAY, WITHIN TEN DAYS AFTER SUCH AWARD,
30 SUBSTITUTE FOR SAID CHECK A BOND OR ALTERNATE SECURITY AS HEREIN

1 PRESCRIBED, OTHERWISE SAID CHECK SHALL BE RETAINED IN LIEU OF A
2 BOND.

3 Section ~~2~~ 3. This act shall take effect July 1, 1985, or <—
4 immediately, whichever is later.