

(3) That in case any dispute arises as to what is the prevailing rate of wages for work applicable to the contract, which cannot be adjusted by the county commissioners, the matter shall be referred to the county salary board and its decision thereon shall be conclusive.

Decision of county salary board to be conclusive in disputes.

(4) The words "prevailing wage rate," as used in this act, shall be construed to mean at least the minimum wages which are received by employes of any printing firm or firms, in second class counties, as a result of collective bargaining agreements negotiated by an employer or employers with a responsible organization representing the employes. If the wage rates, so arrived at, vary in any district in such county, then any printing firm which pays wages at least equal to those provided for in any of such agreements, shall, for the purposes of this act, be deemed to be paying the prevailing wage rate.

Definition—"prevailing wage rate."

APPROVED—The 1st day of June, A. D. 1956.

GEORGE M. LEADER

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No. 670

AN ACT

Relating to comic books, magazines and other publications; prohibiting and regulating the sale thereof in certain instances; and imposing penalties.

Whereas, we believe that the destructive and adventurous potentialities of children and adolescents are often stimulated by collections of pictures and stories of criminal deeds of bloodshed or lust so massed as to incite to violent and depraved crimes against the person; and

Preamble.

Whereas, we believe that such juveniles and other susceptible characters do, in fact, commit such crimes at least partly because incited to do so by such publications, the purpose of which is to exploit such susceptible characters; and

Whereas, such belief even though not capable of statistical demonstration is supported by our experience as well as by the opinions of some specialists qualified to express opinions regarding criminal psychology and not disproved by others; and

Whereas, the danger of restricting freedom of the press is avoided by merely regulating the access of children under the age of eighteen to obscene publications; and

Whereas, the National Council of Juvenile Court Judges has urged that action be taken at local, state and national levels of government to curtail, prohibit and outlaw the publication of so-called "comics";

Sale of certain publications declared unlawful.

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

Section 1. It shall be unlawful for any person to sell, offer for sale, attempt to sell, exhibit, give away, keep in his possession, with intent to sell, or give away, or in any way furnish, or attempt to furnish, to anyone under the age of eighteen years, any comic book, magazine or other publication which is obscene, lewd, lascivious, filthy, indecent or disgusting, or which teaches or advocates the use of narcotics.

Penalty.

Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and shall, upon conviction thereof, be sentenced to pay a fine not exceeding five hundred dollars (\$500), or to undergo imprisonment not exceeding one year, or both.

Distribution by use of conditions declared unlawful.

Section 2. It shall be unlawful for any person as a condition to a sale or delivery for resale of any comic book, magazine, periodical or publication, to require that the purchaser or consignee receive for resale any other comic book or magazine or other publication which is obscene, lewd, lascivious, filthy, indecent or disgusting.

Penalty.

Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and shall, upon conviction thereof, be sentenced to pay a fine not exceeding five hundred dollars (\$500), or to undergo imprisonment not exceeding one year, or both.

Definition of "person."

Section 3. The word "person" includes an individual, copartnership, association and corporation.

Effective date.

Section 4. This act shall take effect in thirty days.

APPROVED—The 1st day of June, A. D. 1956.

GEORGE M. LEADER