

the administrative jurisdiction and authority of the Secretary of Mines and Mineral Industries.

Section 23. Attorney General to Be Counsel for Board.—The Attorney General shall, ex officio, be the general counsel of the board and shall appoint such attorney or attorneys as may be deemed necessary to aid the board in its functioning.

Section 24. Appropriation.—The sum of one million dollars (\$1,000,000), or so much thereof as may be necessary, is hereby appropriated for the purposes of this act, expenses of organization and administration of the fund as is herein provided. Appropriation.

Section 25. Constitutionality and Severability.—The provisions of this act are severable and if any provision, sentence, clause, section, or part thereof, shall be held illegal, invalid, unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of the *act or their application to him, or to other persons and circumstances. It is hereby declared to be the legislative intent that this act would have been adopted if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included therein, and if the person or circumstances to which the *act or any part thereof is inapplicable had not specifically been exempted therefrom.

Section 26. Effective date.—This act shall take effect July 1, 1962. Effective date.

APPROVED—The 23rd day of August, A. D. 1961.

DAVID L. LAWRENCE

No. 485

AN ACT

Amending the act of May 27, 1937 (P. L. 926), entitled "An act relating to the manufacture, repair, renovating, cleansing, sterilizing and disinfecting of mattresses, pillows, bolsters, feather beds, and other filled bedding, cushions and upholstered furniture intended for sale or lease, and to the sale or lease thereof; requiring the placing of tag and adhesive stamp on such material; providing for the sale of adhesive stamps; authorizing and requiring the Department of Labor and Industry to adopt rules and regulations; providing penalties; and

* "ordinance" in original.

repealing certain acts," adding a definition, changing tag stamp and registration provisions, providing for licenses and certain fees, reports, and prescribing penalties.

Department of
Labor and
Industry.

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

Title and subsection (a), section 2, and subsections (a) and (b), section 7, act of May 27, 1937, P. L. 926, amended.

Section 1. The title and subsection (a) of section 2 and subsections (a) and (b) of section 7, act of May 27, 1937 (P. L. 926), entitled "An act relating to the *manufacture, repair, renovating, cleansing, sterilizing, and disinfecting of mattresses, pillows, bolsters, feather beds, and other filled bedding, cushions and upholstered furniture intended for sale or lease, and to the sale or lease thereof; requiring the placing of tag and adhesive stamp on such material; providing for the sale of adhesive stamps; authorizing and requiring the Department of Labor and Industry to adopt rules and regulations; providing penalties; and repealing certain acts," are amended to read:

AN ACT

New title.

Relating to the manufacture, repair, renovating, cleansing, sterilizing, and disinfecting of mattresses, pillows, bolsters, feather beds, and other filled bedding, cushions, [and] upholstered furniture *and bulk materials intended for use in such products* intended for sale or lease, and to the sale or lease thereof; requiring the placing of tag and adhesive stamp on such material; providing for the sale of adhesive stamps; authorizing and requiring the Department of Labor and Industry to adopt rules and regulations; providing penalties; and repealing certain acts.

Section 2. (a) The term "Department," when used in this act, shall mean the Department of Labor and Industry, *and the term "secretary" shall mean the Secretary of the Department of Labor and Industry.*

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Articles to
be tagged.

Section 7. (a) Every article containing *only* new material covered by this act shall bear securely attached thereto and plainly visible a substantial white [cloth] tag of approved material, upon which shall be indelibly stamped or printed, in the English language, *the registration number of the manufacturer or vendor and a statement showing the kind of materials used in filling such article, with approximate percentages when mixed, and with the word new clearly printed thereon.* When required to be sterilized or disinfected, the number of the permit of the person who sterilized or disinfected such material shall appear thereon.

(b) Every article covered by this act containing secondhand material, or a portion thereof, shall bear

* "manufacture" in original.

securely attached thereto and plainly visible a [substantial] yellow [cloth] tag of *approved material* upon which shall be indelibly stamped or printed, in the English language, *the registration number of the manufacturer, vendor or renovator* and a statement showing the kind of materials used in filling such article, with approximate percentages when mixed, and shall state **STERILIZED AND DISINFECTED**, with the permit number of the person who performed such work.

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Section 2. Section 8 of the act, amended May 22, 1953 (P. L. 206), is amended to read:

Section 8 of the act, amended May 22, 1953, P. L. 206, further amended.

Section 8. (a) No person shall sell or lease, or have in his possession with intent to sell or lease, in the Commonwealth of Pennsylvania, any article covered by the provisions of this act, unless there be affixed to the tag required by this act by the person manufacturing, selling, or leasing the same, an adhesive stamp prepared and issued by the department, *except that any person desiring to do so may make application to the secretary on an approved form for a license which, if issued, will relieve him of the requirement that an adhesive stamp be attached to every tag. Each license shall expire one year from the date of issue unless revoked prior thereto.*

Registration.

(b) The department shall register all applicants for stamps or licenses and assign to every such person a registration number, which thereafter shall constitute his identification record, and said identification shall not be used by any other person. *Each registration shall expire one year from the date of issue unless revoked prior thereto. The annual registration fee for an applicant for stamps shall be five dollars (\$5). The annual registration fee for an applicant for a license shall be twenty-five dollars (\$25).*

(c) Adhesive stamps as provided for by this act shall be furnished by the Secretary of Labor and Industry in quantities of not less than one thousand (1000), for which the applicant shall pay fifteen dollars (\$15.00) for each one thousand stamps. The Secretary of Labor and Industry is hereby authorized to prepare and cause to be printed adhesive stamps, which shall contain a replica of the seal of the Commonwealth, [the registry number of the person applying therefor,] and such other matter as the secretary shall direct.

(D) *Every licensee shall make a report to the secretary every three months. The report shall show the exact number of articles sold in this Commonwealth, or shipped into this Commonwealth, for sale in this Commonwealth by the licensee, which are covered by the provisions of this act during the period covered by the report, and*

the licensee shall, at the same time, pay to the secretary one and one-half cents (1½¢) for each such article. The reports shall be made under oath within thirty days of the expiration of the three month period unless the period is extended by the secretary. Whenever any licensee shall fail to make the report and payment required herein or whenever a report is unsatisfactory, the secretary may cause the books and records of such licensee to be examined for the purpose of determining the correct amount due from such licensee. Any licensee failing to pay any amount found to be due, or the expenses incurred in making the examination, shall forfeit its license and registration.

Subsection (a), section 9 of the act, amended.

Section 3. Subsection (a) of section 9 of the act is amended to read:

Duties of the Department of Labor and Industry.

Section 9. (a) The Department of Labor and Industry is hereby charged with the *administration and enforcement* of this act, and it is further empowered and its duty shall be to make, amend, alter or repeal general rules and regulations for carrying into effect all the provisions of this act and to prescribe means, methods and practices to make effective such provisions.

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APPROVED—The 23rd day of August, A. D. 1961.

DAVID L. LAWRENCE

No. 486

AN ACT

Amending the act of May 17, 1921 (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and the fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," requiring domestic mutual fire insurance companies conducting certain kinds of insurance to license their agents.

The Insurance Company Law of 1921.

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

Subsection (f), section 202, act of May 17, 1921, P. L. 682, added April 20, 1949, P. L. 620, amended.

Section 1. Subsection (f) of section 202, act of May 17, 1921 (P. L. 682), known as "The Insurance Company Law of 1921," added April 20, 1949 (P. L. 620), is amended to read: