

*chandise for sale and then to refuse to show, demonstrate or sell the product offered in accordance with the terms of the offer.*

No owner of any newspaper or other publication, or radio or television station, or employe thereof, shall hereafter accept any advertisement for its classified or other columns without, at the time, obtaining the name and address of the advertiser, and making a record of the same, which record shall be retained for a period of two weeks, and shall be subject to the examination of any duly constituted law officer of this Commonwealth. No owner or owners of any newspaper or publication, or radio or television station, or employe thereof, shall knowingly accept any advertisement from any person engaged in any of the businesses mentioned in this section, if such advertisement does not affirmatively state that the merchandise, property, or service advertised belong to, and are the property of, the business concern from whom such advertisement is directly or indirectly received.

APPROVED—The 23d day of October, A. D. 1959.

DAVID L. LAWRENCE

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No. 473

AN ACT

Providing for the continuity of the General Assembly in the event of an attack by an enemy of the United States.

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

Emergency  
Interim  
Legislative  
Succession Act.

Section 1. Short Title.—This act shall be known and may be cited as the “Emergency Interim Legislative Succession Act.”

Section 2. Declaration of Policy.—The General Assembly declares: (1) that recent technological developments make possible an enemy attack of unprecedented destructiveness, which may result in the death or inability to act of a large proportion of the membership of the General Assembly; (2) that to conform in time of attack to existing legal requirements pertaining to the General Assembly would be impracticable, would admit of undue delay, and would jeopardize continuity of operation of a legally constituted General Assembly; and (3) that it is therefore necessary to adopt special provisions, as hereinafter set out, for the effective operation of the General Assembly.

Section 3. Definitions.—As used in this act—

(1) "Attack" means any action or series of actions taken by an enemy of the United States resulting in substantial damage or injury to persons or property in this Commonwealth, whether through sabotage, bombs, missiles, shellfire, or atomic, radiological, chemical, bacteriological or biological means or other weapons or methods.

(2) "Unavailable" means absent from the place of session (other than on official business of the General Assembly), or unable, for physical, mental or legal reasons, to exercise the powers and discharge the duties of a legislator, whether or not such absence or inability would give rise to a vacancy under existing constitutional or statutory provisions.

(3) "Legislator" means a member of the General Assembly of the Commonwealth of Pennsylvania.

(4) "Emergency interim successor" means (a) a legislator elected in the manner hereinafter prescribed for temporary succession to the powers and duties but not to the office of Speaker of the House of Representatives or President pro tempore of the Senate, or (b) a person appointed in the manner hereinafter prescribed for temporary succession to the powers and duties but not the office of a legislator.

Section 4. Convening of General Assembly in Event of Attack.—In the event of an attack, the Governor shall call the General Assembly into session as soon as practicable, and in any case within ninety days following the inception of the attack. If the Governor fails to issue such call, the General Assembly shall, on the ninetieth day from the date of inception of the attack, automatically convene at the place where the Governor then has his office.

Section 5. Place of Legislative Session.—Whenever in the event of an attack or upon finding that an attack may be imminent, the Governor deems the Capitol to be unsafe, he may change the place of session to any place within or without the Commonwealth which he deems safer and convenient.

Section 6. Election of Emergency Interim Successors to Speaker and President pro tempore.—Immediately following the scheduled time of convening of the General Assembly following attack, the legislators then present shall take steps to determine whether or not the Speaker of the House of Representatives and the President pro tempore of the Senate are available for performance of

the duties of their respective offices. In the event that the Speaker and the President pro tempore, one or both, may be found to be unavailable, the members of the House or Houses concerned shall promptly elect by majority vote of the members then present a member of their respective body or bodies for temporary emergency succession to the powers and duties, but not the office of Speaker and President pro tempore, one or both.

Section 7. Emergency Duties of Speaker and President pro tempore.—Whenever the General Assembly may convene following an attack, it shall be the duty of the Speaker of the House of Representatives and the President pro tempore of the Senate, or their elected emergency interim successors, promptly to take steps to determine which, if any, members of their respective bodies may then be unavailable. In the event any legislator or legislators may be determined to be unavailable, it shall further be the duty of the Speaker and President pro tempore, or their elected emergency interim successors, to appoint, in consultation with the county chairman or chairmen of the political party or parties of which the unavailable legislator or legislators may be affiliated or should the said chairman or chairmen be unavailable with other appropriate representatives of the political party or parties concerned, a person or persons for temporary emergency succession to the powers and duties but not the office of the unavailable legislator or legislators within their respective Houses of the General Assembly.

Section 8. Qualifications of Emergency Interim Successors.—(a) Any legislator elected to serve as emergency interim successor to the Speaker of the House of Representatives shall be both a duly elected and sworn member of the House of Representatives and a member of the same political party as the Speaker to whose powers and duties he may temporarily succeed.

(b) Any legislator elected to serve as emergency interim successor to the President pro tempore of the Senate shall be both a duly elected and sworn member of the Senate and a member of the same political party as the President pro tempore to whose powers and duties he may temporarily succeed.

(c) Each person appointed to serve as emergency interim successor to a legislator shall both be eligible under the Constitution and statutes of the Commonwealth of Pennsylvania to hold the office of the legislator to whose powers and duties he may temporarily succeed and be a member of the same political party as the said legislator.

Section 9. Oath of Emergency Interim Successors.—Prior to entering upon the powers and duties to which

he may temporarily succeed, each person elected or appointed to serve as an emergency interim successor as herein provided shall take the oath required by article one of the Constitution of the Commonwealth of Pennsylvania.

Section 10. Limitations of terms of Emergency Interim Successors.—Any person elected or appointed to serve as emergency interim successor to a legislator as herein provided shall exercise the powers and duties of the said legislator only until such time as the said legislator may no longer be unavailable or until such time as a replacement legislator may be duly elected under the Constitution and statutes of the Commonwealth of Pennsylvania.

Section 11. Privileges, Immunities and Compensation of Emergency Interim Successors.—During any period in which a duly elected or appointed emergency interim successor may temporarily succeed to the powers and duties of a legislator under the provisions of this act, he shall be accorded the privileges and immunities, compensation, allowances and other prerequisites of office to which the said legislator is entitled. The provisions of this section shall not, however, in any way, affect the privileges, immunities, compensation, allowances or other prerequisites of office of any incumbent legislator.

Section 12. Termination of Operation of Provisions of this Act.—The authority of emergency interim successors to succeed to the powers and duties of legislators shall expire two years following the inception of an attack, but nothing herein shall prevent the resumption before such time of the filling of legislative vacancies and the calling of elections for the General Assembly in accordance with applicable constitutional and statutory provisions. The Governor, acting by proclamation, or the General Assembly, acting by concurrent resolution, may, from time to time, extend or restore such authority or the operation of any of such provisions upon a finding that events render the extension or restoration necessary, but no extension or restoration shall be for a period of more than one year.

Act effective immediately.

Section 13. Effective Date.—This act shall take effect immediately.

APPROVED—The 23d day of October, A. D. 1959.

DAVID L. LAWRENCE