

products, the sum of eighty-one thousand dollars (\$81,000).

(7) For the maintenance and the support of research and experimental investigation on problems relating to the petroleum industry of the State, the sum of fifty-four thousand dollars (\$54,000).

(8) For the use of the School of Agriculture, for expenditure by the Agriculture Experiment Station for the erection of experimental mushroom houses and research in the communicable diseases of mushrooms and other phases of the mushroom industry, the sum of twenty-five thousand dollars (\$25,000).

(9) For the use of the School of Agriculture, for expenditure by the Agricultural Experiment Station for research and investigation of mastitis in dairy cattle, the sum of twenty-seven thousand dollars (\$27,000).

(10) For the use of the School of Forestry for the purpose of conducting research on diseases of maple trees in Pennsylvania, the sum of ten thousand dollars (\$10,000).

APPROVED—The 21st day of September, A. D. 1961.

DAVID L. LAWRENCE

No. 662

AN ACT

Amending the act of June 22, 1935 (P. L. 414), entitled, as amended, "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," providing that certain corporations doing business with professional school employes shall not be subject to the provisions of the act.

State Personal
Property Tax
Act.

Section 17, act
of June 22, 1935,
P. L. 414, reen-
acted and
amended July 11,
1941, P. L. 361,
and amended
May 28, 1945,
P. L. 1083, fur-
ther amended.

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

Section 1. Section 17, act of June 22, 1935 (P. L. 414), known as the "State Personal Property Tax Act," reenacted and amended July 11, 1941 (P. L. 361) and amended May 28, 1945 (P. L. 1083), is amended to read:

Section 17. State Tax on Scrip, Bonds, Et Cetera; Imposition and Rate of Tax.—All scrip, bonds, certificates, and evidence of indebtedness issued, and all

scrip, bonds, certificates, and evidences of indebtedness assumed, or on which interest shall be paid by any and every private corporation, incorporated or created under the laws of this Commonwealth, or the laws of any other state or of the United States *and doing business in this Commonwealth and having a resident corporate treasurer therein, except first class or nonprofit corporations, are hereby made taxable for State purposes at the rate of eight mills on each dollar of the nominal value thereof, during the calendar years one thousand nine hundred thirty-eight, one thousand nine hundred thirty-nine, one thousand nine hundred forty, one thousand nine hundred forty-one, one thousand nine hundred forty-two, and one thousand nine hundred forty-three, on reports filed for the calendar years one thousand nine hundred thirty-eight, one thousand nine hundred thirty-nine, one thousand nine hundred forty, one thousand nine hundred forty-one, one thousand nine hundred forty-two, and one thousand nine hundred forty-three, or for any fiscal year beginning in the calendar years one thousand nine hundred thirty-eight, one thousand nine hundred thirty-nine, one thousand nine hundred forty, one thousand nine hundred forty-one, one thousand nine hundred forty-two, and one thousand nine hundred forty-three, and at the rate of four mills on each dollar of the nominal value thereof during the calendar years one thousand nine hundred forty-four, and every year thereafter on reports filed for the calendar years one thousand nine hundred forty-four, (or for any fiscal year beginning in the calendar year one thousand nine hundred forty-four) and for every year thereafter: Provided, That whenever, under the provisions of this section, any private corporation shall become liable for such taxes upon evidences of indebtedness by it assumed, or on which it shall pay interest, it shall be the duty of such corporation not later than ten (10) days thereafter, to give notice, in writing, to any person who may, at such time, be liable for the payment of any taxes upon such evidences of indebtedness, under the provisions of the third section of this act, that the corporation has assumed such indebtedness, or the payment of the interest thereon, and will deduct and pay the taxes imposed thereon by this section. Such notice shall also be given before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest. Where any private corporation shall assume such evidences of indebtedness, or the payment of interest thereon, prior to the first day of October in any year, and shall give notice, as hereinbefore provided, such

Scrip, bonds, etc.

Rate.

Where private corporations assume payments.

Notice.

Where assumed prior to October 1.

* "and" not in original.
 ** "hundred" in original.

corporation shall be relieved from the duty of deducting and paying the taxes imposed by this section for the balance of such year; but shall deduct and pay said taxes for the ensuing year, and the person to whom such notice shall be given, shall, for such ensuing year be relieved from the payment of tax, under the provisions of the third section of this act, upon such evidences of indebtedness so assumed, or on which the corporation shall pay interest. Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon, on or subsequent to the first day of October in any year, and shall give the notice, as hereinbefore provided, such corporation shall be relieved from the duty of deducting and paying the tax upon such evidences of indebtedness by it assumed or on which it shall pay interest for the balance of such year and for the ensuing year, and the person, to whom notice is so given, shall pay the tax for the period for which the corporation is relieved upon such evidences of indebtedness so assumed, or on which the corporation shall pay interest, as provided for in the third section of this act. Neglect or failure on the part of any corporation, upon assuming any evidences of indebtedness or becoming liable for the payment of interest thereon, to give the notice as herein provided and within the time prescribed, shall make such corporation liable for the payment of taxes from the time when such evidences of indebtedness are assumed, or for the entire period for which interest shall be paid. Neglect or failure to give such notice before the first day of October of each and every subsequent year, during which such corporation is liable for the payment of such interest, shall make the corporation liable for such taxes for the year following without any deduction from interest due as hereinbefore provided: Provided, That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution, savings institution or trust company, nor to interest-bearing accounts in any bank, banking institution, savings institution, employes' thrift or savings association, whether operated by employes or the employer, or trust company; nor to any scrip, bonds, certificates or evidences of indebtedness held in any trust forming part of a stock, bonus, pension or profit sharing plan of an employer for the exclusive benefit of his employes, or their beneficiaries, which trust under the latest ruling of the Commissioner of Internal Revenue is exempted from Federal income tax: And provided further, That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock, and if at any time either now or hereafter, any persons, individuals, or bodies corporate have agreed or shall here-

Neglect to give notice.

Interest-bearing accounts.

Plans of employes for benefit of employes.

Building and loan associations, etc.

after agree to issue his, their or its securities, bonds or other evidences of indebtedness, clear of and free from the tax or any part thereof, provided for in this act, or in the act, approved the seventeenth day of June, one thousand nine hundred thirteen (Pamphlet Laws five hundred seven), or have agreed or shall hereafter agree to pay the same, nothing herein contained shall be so construed as to relieve or exempt him, it or them, from paying the tax imposed herein on any of such securities, bonds, or other evidences of indebtedness, as may be held, owned by, or owing to, the said savings institution having no capital stock: And provided further, That the provisions of this act shall not apply to fire companies, firemen's relief associations, life insurance companies, casualty or fire insurance corporations having no capital stock, secret and beneficial societies, labor unions and labor union relief associations, and all beneficial organizations paying sick or death benefits, or either or both, from funds received from voluntary contributions or assessments upon members of such associations, societies, or unions: *And provided further, That the provisions of this act shall not apply to any corporation incorporated under the laws of this Commonwealth when at least one-half the directors of such corporation are professional employes of any school district or school districts of this Commonwealth and at least one-half of the business activities of such corporation are directly or indirectly with or on behalf of professional employes of any school district or school districts of this Commonwealth:* And provided further, That corporations, limited partnerships, and joint-stock associations, liable to tax on capital stock for State purposes, shall not be required to pay any further tax under this section, on the mortgages, bonds, and other securities owned by them in their own right; but corporations, limited partnerships, and joint-stock associations holding such securities as trustees, executors, administrators, guardians, or in any other manner, except as executor or administrator of the estate of a nonresident decedent, and except as trustee for a resident or nonresident religious, charitable or educational organization, no part of the net earnings of which inures to the benefit of any private stockholder or individual, shall be liable for the tax imposed by this section upon all securities so held by them as in the case of individuals: And provided further, That none of the classes of property made taxable by this section for state purposes shall be taxed or taxable for county, school, or other local purposes: And provided further, That the provisions of this section shall not apply to personal property, of the classes hereinabove enumerated, received or acquired with proceeds of money or property received from any person or persons, copartnership or unincor-

Fire companies,
etc.

Professional employes of school districts.

As trustees, guardians, etc.

Exceptions.

Local taxation.

Received from nonresidents, by trustees as residents, etc., for benefit of nonresidents.

porated association, or company, nonresident in or not located within this Commonwealth, or from any joint-stock association, limited partnership, bank or corporation formed, created, or incorporated by, under, or in pursuance of any law of the United States, or of any state or government other than this Commonwealth, by any person or persons, copartnership or unincorporated association resident in this Commonwealth, company, joint-stock company or association, limited partnership, bank or corporation created or existing under the laws of this Commonwealth or doing business within this Commonwealth as active trustee, agent, attorney-in-fact, or in any other capacity for the use, benefit or advantage of any person or persons, copartnership or unincorporated association, or company nonresident in, or not located within, this Commonwealth, or for the use, benefit or advantage of any joint-stock company or association, limited partnership, bank or corporation formed, created or incorporated by, under, or in pursuance of any law of the United States, or of any state or government other than this Commonwealth; or any such property whatsoever owned, held or possessed by any person or persons, copartnership or unincorporated association resident in this Commonwealth, company, joint-stock company or association, limited partnership, bank or corporation created and existing under the laws of this Commonwealth or doing business within this Commonwealth in the capacity of executor or administrator of a nonresident decedent, or as trustee, agent or attorney-in-fact for any resident or nonresident religious, charitable, scientific, literary or educational organization, no part of the net earnings of which inures to the benefit of any private stockholder or individual.

Property in hands of resident as executor or administrator of estate of nonresident decedent.

Or held by resident fiduciaries for benefit of eleemosynary, etc., organizations, resident or not.

It is the intent of this act that all scrip, bonds, certificates, and evidences of indebtedness, made taxable under this section, are not taxable under the third section of this act, and that only such scrip, bonds, certificates, and evidences of indebtedness, which cannot be made taxable under this section, are to be taxed under the third section of this act.

Act effective immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 21st day of September, A. D. 1961.

DAVID L. LAWRENCE